

REGIONAL DEVOLUTION IN THE SOUTHERN SUDAN  
1972-1981

by

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## DECLARATION

I declare that this thesis has been composed by myself and is the result of my own research and fieldwork.

## ABSTRACT

This is a study of Regional devolution granted to the Southern Provinces of the Sudan in 1972. It seeks to answer five basic questions: what was the basis of North-South conflict; why and in what way was it possible to resolve the conflict in 1972; what is the nature of the devolved system both in terms of the powers of Southern institutions and in terms of their actual roles in Southern and Sudanese politics; to what degree has devolution proved both successful in its objectives in resolving the North-South conflict and in providing efficient government for the South; and finally, is devolution to persist as a form of government in the Sudan.

Chapter One briefly describes the geography, demography and colonial history of the Southern Sudan and shows that the South is fragmentary, culturally and physically, but also distinct from and largely isolated from the North. Those processes like education and economic development, which might have brought about integration between the North and South, were impeded by the colonial policy of separate control of the two regions and the neglect of the development of the Southern economy, which placed the southern elite in a weak position to defend regional interests as independence approached.

Chapter Two is concerned with the politics of the Civil War (1955-72), its background, evolution and the development of the devolutionary solution. It shows that the devolutionary solution was possible in 1972 because both the northern and southern leadership were now willing to compromise rather than to continue the war, which none of them felt it would win by force.

Chapter Three attempts to trace the precise steps leading to the devolutionary solution. It focuses its attention on the June 9th Declaration, southern responses and the role played by the mediators in reaching such solution as well as the nature of what



was agreed upon.

Chapter Four discusses the steps taken and trends set during the transition phase between the Addis Agreement and the establishment of the first PRA. It also analyses the first elections to the newly-created Regional Assembly and indicates that these brought into renewed prominence the factional and sectional politics which had characterised Southern politics since 1948.

Chapter Five discusses the devolved powers to the Region as well as the working of the Regional Assembly and High Executive Council. It also examines the course of both internal Southern politics and of its relationship with Central Government and the Northern-dominated political system.

Chapter Six discusses the internal conflict which developed after the establishment of the institutions of Devolution, as a result of intra-elite struggle for power and control of the Regional Government. This growing pattern of factional competition coincided with growing Presidential intervention and contributed to undermining the integrity of Southern institutions and, thus, to growing civil discontent and disorder in the South, at the end of the first decade of devolution.

Chapter Seven assesses the devolutionary solution against the underlying causes of North-South conflict and attempts to answer the question: has the devolved system of Government worked in a backward country like the Sudan and will it continue in existence?



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This dissertation is dedicated to my mother, who persuaded me to accept the idea of going to school when none of my older brothers accepted the idea. Like them I hesitated to accept the offer at first, because I thought that my mother wanted to get rid of me. But why, was the question I put to myself. I knew she could not let me go if it meant bad. However, I kept asking myself: where was I going, and what kind of people was I going to live with for the rest of my life? Bor Town (where my first elementary school was located) was a different place from my village, Lilir; besides, it never crossed my mind that one day I would go to school.

Frightened and unhappy, I set out with a heavy heart for Bor Town, knowing that the good old days of a carefree life in the countryside were over, and that the long, lonely, unknown years of self-reliance had just begun. I found out that modern education was challenging and needed courage and hard work. My strong belief in education enabled me to complete this work.

Many people have helped me in various stages of this project. Though they can't all be mentioned here, it is important to recognise some of them. My supervisor, Chris Allen, contributed a lot to this project. His searching questions and constructive criticism helped me to make sense. He not only acted as my supervisor, but also requested the University of Khartoum to extend the period of my study twice, to enable me to complete the project. I am indebted to him for all that he did.

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Finally, I wish to thank my wife, Ajok, and son, Kou, for their patience in putting up with four years' academic abstractedness during the writing of this thesis.

## INTRODUCTION

### The Purpose of this Study:

My object is to gain an insight into the North-South conflict and its resolution in 1972, and to make an analysis of the resulting devolved system of government in the South. As a young boy in 1954, I used to hear southerners in the streets of Bor Town, where I went to school, shouting: "Federation, Federation"; but what federation was, and why Southerners were calling for it was not clear to me. Again in 1955 Southerners and Northerners fought, but why they fought was, too, not clear to me. However, in 1962, when most Southern schools went on strike because the Government changed the day of rest in the South from Sunday to Friday (the first being the Christians day of rest, while the latter is the Moslem day), here I began to form an idea of what was happening. The first thing I learned was that the Northerners intended to impose their values and way of life on the Southern Sudanese to achieve National Unity, which was hindered by the intervention of British colonialism and the Missionary factor in the Southern Sudan. I also learned that the shout for federation, which I used to hear, was to protect Southern interests in a new Sudan ruled by the Sudanese for the Sudanese. But what were Southern interests and how those interests could be protected by federation was not clear. As a Southern Sudanese who went to school at the time when Northern policies of Arabicisation and Islamisation were being introduced and imposed, I feel I have a particular interest in undertaking such a study. I believe that Southerners and Northerners did not go to war simply because of federation.

Although the tendency of the Khartoum Government during the early years of independence was to preserve the institutions and organs left behind by the colonial administration, this was



not possible in regard to Southern Sudan. The Khartoum leaders failed to organize government in the South in a manner whereby the aspirations of its inhabitants were met. So the problem of Southern Sudan exploded before the expiration of the first year of Self-Government when the forces of the Equatorial Battalion mutinied in August, 1955, just when the country was making preparations for the declaration of independence.<sup>1</sup> The success of the armed forces in quelling the mutiny has tempted successive Khartoum Governments to ignore the problem of Southern Sudan and to resort to military force as the only solution for the discontent and dissatisfaction widespread amongst the inhabitants of Southern Sudan. This dragged the country into a civil war which lasted for seventeen years, when blood was shed and resources were exhausted. It diverted the Sudanese attention from what should have been the only question to occupy their minds on the eve of independence, that is to say: how is the Sudan going to be administered and governed?

In spite of the fact that one of the reasons for the outbreak of the October 1964 Revolution, which overthrew the military regime, was the rejection of the military solution to the Southern problem, the political parties succeeding to power after the October Revolution did not concern themselves with this matter. They continued to adopt the old method of avoiding the problem by adjournment and delaying tactics, of either devising temporary superficial answers or resorting to the use of military force, which killed more people and exhausted what remained of the country's resources. The only positive thing which took place during that period was the convening of the Round Table Conference, during the days of the October interim government, to discuss the Southern problem before the general elections. The conference was attended by representatives from the north and south and they tried, through negotiations and exchange of ideas, to reach a peaceful solution to the problem. The conf-

1. Report of the Commission of Enquiry into the Disturbances in the Southern Sudan During August 1955 (McCorquedale & Co. Ltd., Khartoum, 1955).



erence failed to attain its objectives, yet its convening was regarded as a major step forward.<sup>1</sup> It removed the apathy surrounding the problem and paved the way for future attempts, thus casting doubts on the arguments of those calling for extreme solutions, whether they be the maintenance of the status quo, or separation.

Like the October interim government, the May military regime showed interest in solving the Southern problem peacefully, hence its June 9th Declaration which, among other things, recognises the right of the Southern Sudanese to develop their cultures within the framework of a united Socialist Sudan.<sup>2</sup> The June 9th Declaration laid the basis for the Addis Ababa Agreement of 1972.

In implementation of the Addis Ababa Agreement, the Southern Provinces Regional Self-Government Act was made on 3rd March, 1972. That Act provided for a devolved system of government, with those provinces constituting amongst themselves a region with self-government, within a unitary Sudan, and that region having its own legislative and executive organs with a relatively independent budget.<sup>3</sup> These bodies had definite functions

1. The Round Table Conference (Khartoum, 1965).

2. President General Numeiri's Policy Statement on the Southern Question 9 July 1969 (Khartoum, 1969).

3. Devolution, like many other concepts, is defined by different people in different ways. For example, according to the Oxford English Dictionary, Blackstone in his Commentary wrote in 1765: "This devolution of power to the people at large, includes in it a dissolution of a whole form of government established by the people". The editors of the Dictionary generalise this as: "The passing of power or authority from one person or body to another".

Devolution is of course a noun. It is derived from the transitive verb "to devolve". "To devolve" is primarily "to roll down; to cause to descend with rolling motion; also to unroll, unfurl". Secondly, "to devolve" is "to cause to pass to or fall upon (a person)" and only derivatively is it to delegate to deputies duties for which the responsibility belongs to the principal. However the most important definition of this term is given by Lord Kilbrandon, Royal Commission on the Constitution, which considered various forms of devolution but the most advanced form the Commission considered was the one in which the powers are transferred to the regions to determine policy on a selected range of subjects, to enact legislation to give

(Cont'd)...



within the region, including all matters relating to the administration and government of the region.<sup>1</sup> The act defined national matters beyond the scope of the regional legislative and executive powers as being those matters pertaining to national sovereignty such as defence, foreign affairs, nationality, currency and coinage, or those economic matters requiring national planning, such as customs, foreign trade, development planning, air and inter-region river transport, educational planning and public auditing.<sup>2</sup>

The act conferred the legislative power in the region upon the People's Regional Assembly, which is elected by the citizens resident in the Southern region of the Sudan by direct secret ballot. In general, however, the powers of the assembly as restricted by the act to the keeping of public order and internal security, efficient administration of the region and its development in cultural, economic and social fields.<sup>3</sup>

The 'Assembly, besides legislating in the matters defined, supervises the Regional Executive Authority by asking the President and members thereof for facts and information relating to the administration of the region. It may also, by a three-quarters majority, request the President of the Republic to retire the President or any member of the High Executive Council from office, and the President of the Republic should accede to such request. Also the People's Regional Assembly shall pass the

(Cont'd)... effect to that policy and to provide the administrative machinery for its execution, while reserving to Parliament the ultimate power to legislate for the regions on all matters. The Commission gave the Northern Ireland experience as a good example of this devolution since the Government of Ireland Act 1920 provided a measure of devolution of this kind and called it legislative devolution.

1. The Democratic Republic of the Sudan, Ministry of Justice, Authentic English Translation of the Southern Provinces Regional Self-Government Act, 1972 (Khartoum, 1972).

2. Ibid., Section 6.

3. Ibid., Section 10.



budget of the region, which shall be presented by the Regional Executive Council, including the expenditure of services, security, administration and regional development. The Assembly may impose regional taxes and duties and may take the necessary legislation for levying them.

The act vests the power of the Regional Executive in the High Executive Council, who exercise it on behalf of the President of the Republic. The President of the High Executive Council is appointed by an order of the President of the Republic made on the recommendations of the People's Regional Assembly.

The High Executive Council is composed of members appointed by the President of the Republic on the recommendation of the President of the High Executive Council. The President and members of the High Executive are responsible to the President of the Republic and to the People's Regional Assembly for the efficient administration of the region. The High Executive determines the duties of the different departments in the region, and may introduce laws for the creation of a regional public service. These laws shall specify the terms and conditions of such service." The act has provided also that the President and members of the High Executive Council may attend sessions of the People's Regional Assembly, but without the right to vote, unless they are also members of the People's Regional Assembly.

The act has organised, by its many provisions, the relationship between the central and regional organs, and most of the legislative and executive powers of regional organs were provided for, subject to central policies, plans and laws.

The act has made the President of the Republic an arbiter between the central and regional organs, and so it provides in Section 22 that the President of the Republic shall, from time to time, regulate the relationship between the High Executive



Council and the central Ministries', and provides in Section 13 that 'the People's Regional Assembly may, by a two-third majority, request the President to postpone the coming into force of any law which, in the view of the members, adversely affects the welfare and interests of the citizens of the Southern region. The President of the Republic may, if he thinks fit, accede to such a request'. In Section 14 it provides that the People's Regional Assembly may request the President of the Republic to withdraw any bill presented to the People's National Assembly which, in their view, adversely affects the welfare or interests of the citizens of the Southern region, pending communication of the view of the People's Regional Assembly, and if the President of the Republic accedes to such request, the People's Regional Assembly shall present its views within 15 days, and the President of the Republic shall communicate any such view to the People's National Assembly together with his own observations, if he deems necessary.

The act provides in Section 26 that the citizens of the Southern region shall constitute a proportion of the People's Armed Forces in such reasonable numbers as will correspond to the population of the region.

Thus, in principle at least, the Regional Self-Government Act granted considerable powers to a devolved system of government in the South and a good part of this study is concerned with the nature of these powers and the ways in which they have been used.

The main questions this work attempts to answer are:-

- (a) What was the basis of North-South conflict in the Sudan?
- (b) Why, and in what way, was it possible to resolve the conflict in 1972?

- (c) What is the nature of the devolved system, both in terms of the powers of the Southern institutions and in terms of their actual roles in Southern and Sudanese politics?
- (d) To what degree has devolution proved both successful in its objectives in resolving the North-South conflict, and in providing efficient government for the South? and finally,
- (e) Is devolution to persist as a form of government in the Sudan?

Chapter One briefly describes the geography, demography and colonial history of the Southern Sudan and shows that the South is fragmentary, culturally and physically, but also distinct from, and largely isolated from, the North. Those processes like education and economic development, which might have brought about integration between the North and South, were impeded by the colonial policy of separate control of the two regions and the neglect of the development of the Southern economy, which placed the Southern elite in a weak position to defend regional interests as independence approached.

Chapter Two is concerned with the politics of the Civil War (1955-72), its background, evolution and the development of the devolutionary solution. It shows that the devolutionary solution was possible in 1972 because both the Northern and Southern leadership were now willing to compromise, rather than to continue the war, which neither of them felt they would win by force.

Chapter Three attempts to trace the precise steps leading to the devolutionary solution. It focuses its attention on the June 9th Declaration, Southern responses and the role played by the mediators in reaching such solution, as well as the nature of what was agreed upon.



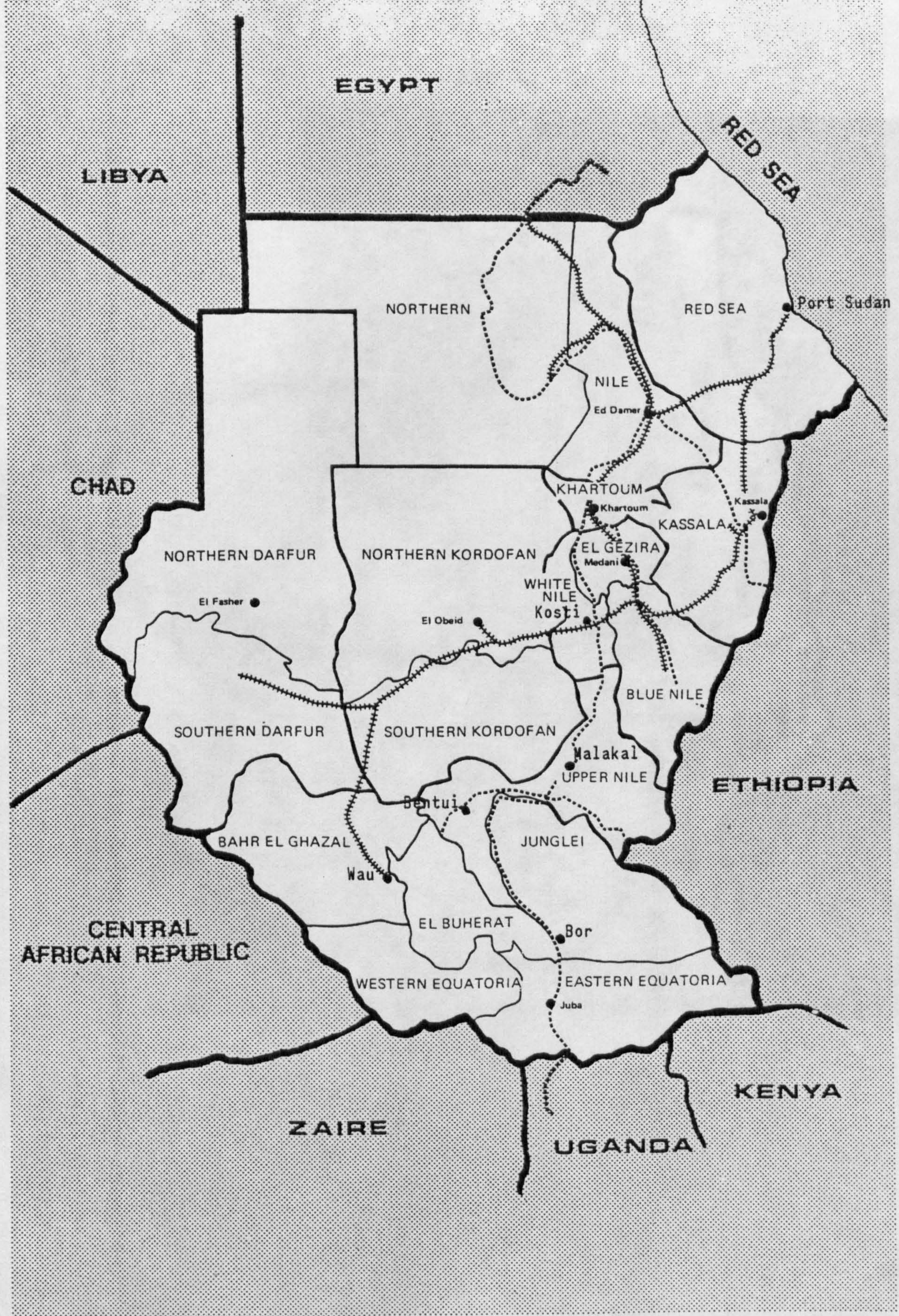
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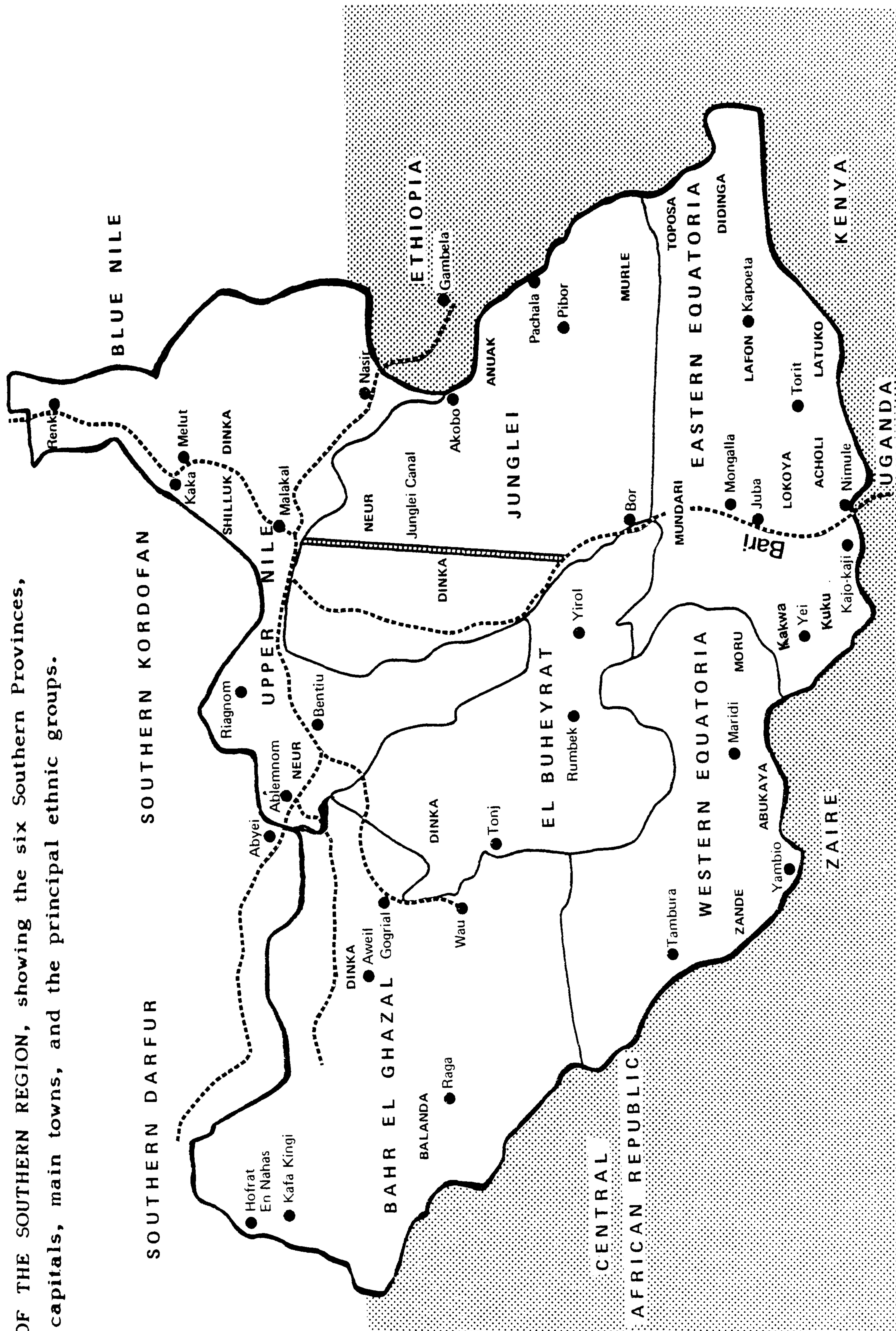
----- Rivers  
+++++ Railways

The New Regions of the Sudan according to 1980 Regional Government Act:

<u>Name of the Region</u>	<u>Old Provinces</u>	<u>Capital</u>
1. Eastern Region	Kassala & Red Sea	Kassala
2. Northern Region	Northern & Nile	El Damer
3. Central Region	White Nile, Blue Nile & El Gezira	Medani
4. Kordofan Region	Northern & Southern Kordofan	El Obeid
5. Darfur Region	Northern and Southern Darfur	El Fasher
6. Khartoum Region	Khartoum	Khartoum
7. Southern Region	Bahr el Ghazal, El Buherat, E & W Equatoria, Upper Nile, Junglei, Juba	



MAP OF THE SOUTHERN REGION, showing the six Southern Provinces, their capitals, main towns, and the principal ethnic groups.



RIVER (-----)  
CANAL (=====)



## CHAPTER I

### GENERAL BACKGROUND

#### Introduction

This chapter briefly describes the geography, demography and colonial history of the Southern Sudan. The South is shown to be fragmentary, culturally and physically, but also distinct from and largely isolated from the North. Those processes that might have brought about a degree of integration between the regions were impeded by the South's isolation and lack of development, while colonial policy for the most part sought to preserve Southern distinctiveness. Economic development was absent until the 1940's when a small scale aid, made up of industrial projects linked better to each other, not to Northern development was made. Education was left largely in the hands of missionaries, which meant that those few who did go to school emerged speaking a different second language and professing a different faith to their Northern counterparts. Not until the late 1940's was the policy of preserving the South abandoned. By then sporadic history of contacts between North and South had left Southerners hostile to the Northern presence and Northern ambitions, while the deliberate neglect of the Southern economic and social development had placed the region's elite in a very weak position to defend regional interests and autonomy as independence approached.

## Sudan: Physical Features and Climate

Sudan is the largest country in Africa with an area of about a million square miles. It is mostly flat and featureless, with few permanent lakes. The main water supply is from the Blue Nile and White Nile, which flow northwards through Sudan from sources in Ethiopia and Uganda.

Average temperatures and rainfall change steadily from month to month, except when the effect of the Ethiopian highlands disturbs the east-west trend in the climatic belts in the south-east. The north of the Sudan is desert with negligible rainfalls and high average daily temperatures (summer 35°C, winter 20°C). Rainfall increases steadily south of Khartoum (200mm. per year) until it is over 1,000 mm. per year at the Southern border. The amount varies from year to year, especially in the North, and is seasonal. In the South it falls in the period April - October; the rainy season gets shorter towards the North where it lasts only from July until August.<sup>1</sup>

The soil resources of the Sudan are rich in agricultural potential; but the exploitation of these resources depends on the availability of water. Chiefly a small proportion of the clay plains of the Central and East Sudan are currently farmed intensively. Clay soils also occur in the South, being deposits of the White Nile and Sobat streams. Recent alluvium provides a basis for productive agriculture in the narrow Nile valley north of Khartoum. Elsewhere in the West and North the soils are sandy, with little agricultural potential, except in the dry valleys, which generally contain some soil moisture.<sup>2</sup>

Vegetation is closely related to the climatic zones. From the desert in the North vegetation gradually improves through semi-

1. Africa South of the Sahara 1980-81: Sudan, pp.969-970.

2. Ibid.



arid shrub to low woodland savannah characterised by acacia and short grasses. Progressively higher rainfall towards the South promotes trees and shrubs as well as herbs, while the more reliably watered rangeland of the Bahr el Arab provides an important seasonal resource for graziers from the poor pastures of Darfur and Kordofan. The flooded areas of the Sudd and Machar and environs support swamp vegetation and grassland. On the uplands of the Southern border, rainfall is high enough to support tropical rain forest.<sup>1</sup>

### Population and Ethnic Composition

The population of the Sudan was expected to reach 17.5 million in 1980, rising at an annual rate of 2.75 per cent. About 71 per cent of the population live in rural areas, 18 per cent in urban and semi-urban areas and the remaining 11 per cent are nomadic. Forty-seven per cent of the population was under 15 years of age at the last census in 1973.<sup>2</sup> The most populated provinces are Khartoum and Blue Nile because of industrial and agricultural development. There are local concentrations of population in Nuba Mountains and higher densities than average in better farmed parts of Bahr el Ghazal and Darfur.

In the Sudan there are many ethnic groups or tribes,<sup>3</sup> each with a distinct origin and history, ethnicity, language, ideological and institutional patterns, ecology and religion. Many of these ethnic groups overlap the International borders.<sup>4</sup>

The ecological differences in the Sudan play a part in reinforcing cultural and social diversity in the country as a whole

1. Africa South of the Sahara, op. cit,

2. Ibid, quoted in the Ministry of National Planning. The Six-Year Plan of Economic and Social Development .Khartoum, 1977.

3. The term "tribe" here, however, connotes an ethnic category of people (e.g. Kababish, Dinka, Azande, etc.) who are aware, often vaguely of a common historical origin, and that they are culturally different from all other groups around them. They have a common language, marriage system, cult and other institutions.

4. K.M. Barbour, The Republic of the Sudan: A Regional Geography (London: University of London Press, 1961), pp.15-18.



and in the division between North and South in particular.<sup>1</sup>

Economic activity in rural areas consists mainly of farming and pastoralism. In the urban areas the economy is organised on Western knowledge and technical training. In this respect, most of the larger urban areas and modern technology are located in the North around Khartoum and the Gezira. Except for the Zande Scheme, which was destroyed during the Civil War, the South has few technological and economic development schemes. Thus, there exists a technological imbalance between the two regions.

Furthermore, ecological barriers have helped to determine the distinctness of Northern Sudan from the South. In the North there is a general geographical and cultural distinctness of Muslim - Arab culture. For many centuries and particularly after the fifteenth century, Arab groups from Arabia, through Egypt and possibly through Northwest Africa, had penetrated into the area. The process of Arab penetration and cultural influence in the North is a long story and does not need much discussion here.<sup>2</sup> It is sufficient to point out the ease of the spread of Muslim-Arab culture in Northern Sudan appears to have been enhanced by ecological conditions of the region.<sup>3</sup> In terrain Northern Sudan is relatively flat and open. This condition allowed for wide-ranging migratory movements in the area. This is evidenced by the segmental distribution of the incoming

1. K.M. Barbour, op. cit., pp.26-73.

2. A.J. Arkell, A History of the Sudan: From the Earliest Times to 1821 (London: The University of London (Athlone) Press, 1955), pp.186-202; Yusuf Fadl Hassan, The Arabs and the Sudan: From the Seventh to the Early Sixteenth Century (Edinburgh: Edinburgh University Press, 1967), pp.135-155; Harold A. MacMichael, A History of the Arabs in the Sudan and Some Account of the People Who Preceded Them and the Tribes Inhabiting Darfur, 2 vols. (Cambridge, England: Cambridge University Press, 1922), Vol.1, p.3.

3. D.B. Mather, "Migration in the Sudan", in R.W. Steel and C.A. Fisher (eds.), Essays on British Tropical Lands (London: George Philip and Sons Ltd., 1956), pp.115-143.



Arabs (as well as the indigenous peoples or amalgamations of the two) in the various geographical areas of the Northern Sudan. Thus, we find such names as Ja'aliyin along the main Nile, and in the Gezira Province; Bidayriya in Dongola and Kordofan etc.

The Muslim-Arab culture, however, had been largely confined to Northern Sudan. The South had very little of this religio-cultural influence due to heavy rains, dense forests and numerous rivers; but most important because of the Sudd. This term means in Arabic "barrier". The Sudd is a vast papyrus swamp covering a remote and lonely area of nearly 3,474 sq. km. extending from Bor to Lake No. Certainly, Arab and Muslim influence has been able to penetrate among the Beja, the Fur and the Funj, despite their rather difficult environmental conditions. The Nubians initially resisted the Arab penetration but gave in and Arab culture prevailed. Various Southern Sudanese groups North of the Sudd resisted the Arab physical penetration into the South. Furthermore, the Southern ecological situation is such that it seems to have kept the various Southern ethnic groups themselves confined in their own areas and thus rather closed culturally and linguistically.

Under these conditions of geographical and cultural separateness between the North and South the territorial state of the Sudan was created by the colonial powers (Britain and Egypt). Colonial policies reinforced the general cultural diversity of the territory by preserving the exclusiveness of the ethnic units and by administering them as distinct and self-sustaining, especially instituting the system of "Native Administration" or "Indirect Rule". It also preserved the geographical and cultural differences between the North and South by the policy of separate administration, also known as the "Southern Policy" discussed below.

## Ethnic Groups of the Northern Sudan

Northern Sudan's ethnic or tribal groups are many and vary as to their distribution and ecological conditions. They may be grouped into two very broad categories according to their ethnic, linguistic, religious and social modes of attachment and exclusive identification. The two categories are those of Arabs and non-Arabs.

The main Arab ethnic groups in the Northern Sudan are shown below:<sup>1</sup>

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TABLE 1:1  
The Arab Ethnic Groups of Northern Sudan

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- |   |            |             |
|---|------------|-------------|
| A. Ja'aliyin Arabs:   |            |             |
| 1. Donagla Arabs  | 3. Kawahla | 5. Husaynat |
| 2. Hassaniya  | 4. Gima    |             |
| B. Guhayna Arabs:   |            |             |
| 1. Jamala: Kababish, Shukriya   |            |             |
| 2. Baggara: Seleim, Hawazma, Mesiriya, Humr, Ta'aisha,<br>Beni Rashid, Rashaida, Habaniya |            |             |
| C. Gezira Arabs:  |            |             |
| 1. Messellimiya   | 2. Halawin | 3. Rufa's   |
| D. Zebaydiya Arabs  |            |             |
| E. Hawawir Arabs (Berber Stock)   |            |             |
| 1. Hawawir  | 3. Hawara  |             |
| 2. Jellaba  | 4. Korobat |             |
| F. Mixed Arab-Nubians:  |            |             |
| 1. Shaiqiya   | 3. Rubatab |             |
| 2. Manasir  | 4. Minifab |             |

1. Dunstan M. Wai, The African-Arab Conflict in the Sudan (Africana Publishing Company, New York, 1981), p.21.



The non-Arab ethnic groups in the Northern Sudan are the Nubians, the Beja, the Fur, the Nuba and people of the Southern Funj, who have adopted Arabic culture and the Islamic religion.<sup>1</sup>

### Ethnic Groups of the Southern Sudan

The tribes of the Southern Sudan fall into three wide linguistic categories: (1) Nilotics; (2) Nilo-Hamitic; and (3) Sudanic speaking groups. According to the 1955/56 Census, the Nilotes numbered 2,026 or 20%, the Nilo-Hamitic 549 or 5% and the Sudanic 482 or 5%.<sup>2</sup>

The Nilotic Tribes: These groups have been recognised by one anthropologist as "having closely related physical, linguistic and other cultural characteristics as well as traditions and myths suggesting a common cultural origin".<sup>3</sup> They comprise the Dinka, Nuer, Shilluk, Anuak, Pari, Acholi, Bor-Belanda and Jo-Luo.

There is no recorded data on the early history of these people. However, their oral traditions indicate that their latest area of dispersal appears to have been in the neighbourhood of Rumbek, west of the Nile, whence a slow process of migrations resulted in their present distribution.<sup>4</sup> The Shilluk, Anuak, Pari, Acholi, Luo of Kenya and Alur of Uganda moved from this area eastward and south-eastward. The Dinka seem to have moved east and north across the Bahr al-Jebel and Bahr al-

1. Dunstan M. Wai, op. cit., p.22.

2. K. Krotki, 21 Facts about the Sudanese (Khartoum, 1956), p.23.

3. Audrey Butt, The Nilotes of the Anglo-Egyptian Sudan and Uganda (London: Oxford University Press for International African Institute, 1952), p.1.

4. J.P. Grazzolari, The Lwo, Part I; Lwo Migrations, Part II (Verona Museum Comboniam, 1950-1951), pp.5-6.



Ghazal rivers, and were followed to the east by the Nuer. Except perhaps for the Anuak and Acholi, most of the Nilotes are mainly pastoralists with an absorbing interest in cattle which enters not only into their economic aspects, but into their social and religious aspects as well.

The Nilo-Hamitic Tribes: These groups have common features. They claim to have traditionally come from the south east. This claim seems to be supported by generic linguistic affinities which suggest either a common ethnic origin or prior geographical continuity. All are acephalous in socio-political pattern of organisation. They have exogamous patterns of marriage and patrilineal inheritance and succession. They have similar patterns of religious beliefs and practices, and these play a very significant part in social, economic and legal relationships.<sup>1</sup> The group consists of the Taposa, the Latuko, the Bari, the Murle and related tribes.

The Sudanic Tribes: This group comprises the Zande and related<sup>2</sup> groups, examples of Bongo-speaking; Baka, Moru, Madi, etc. These linguistic categories do not live in distinct areas. Unlike the Nilotes, these groups mainly cultivate the land.

As stated above, geographical and historical factors have worked in such a way that the two parts of the country remained culturally separate. The colonial aspect of the historical process created certain conditions that eventually make the educated Southerners feel and act as members of a distinct region. Northern identity is based on Islam and Arabic culture, while Southern identity is based, at least in part, from not being Muslims and Arabic in culture.

1. L.F. Nalder, A Tribal Survey of Mongalla Province (London: Faber and Faber Ltd., 1935), pp.3-9.

2. P.T.W. Baxter and Audrey Butt, The Azande And Related Peoples (London: International African Institute, 1953), pp.11-19.



## The Southern Economy

The economy of the Southern Sudan is still mainly one of subsistence and is purely agricultural in basis.<sup>1</sup> At one extreme are those who rely almost entirely on the products of animal husbandry, though complete reliance on animal stock is rare in practice. At the other extreme are those who rely entirely on crop production. In nearly all areas fishing, hunting and gathering fruit and sometimes honey are subsidiary economic activities.

In the Flood Zone, occupied mainly by the Nilotic people (Dinka and Nuer), the general form of land utilization is similar throughout, though there are obvious differences of degree. Villages and permanent settlements are confined to the higher, relatively flood-free ground and are of necessity widely dispersed. The vast intermediate grasslands provide pasture, both at the beginning of the dry season and, again, at the beginning of the rains. Owing to the unpalatable nature of the perennial grasses and lack of water supplies during the height of the dry season, their value is comparatively limited, though nonetheless essential to the seasonal economy. Later in the dry season, the people are forced to move their herds to the toiches where there is a plentiful supply of green pasture and also fish to be found in the pools and lagoons. The economy is therefore based upon a seasonal and balanced use of land types, and all types of land are essential.

In most parts of the Flood Zone, the production of crops is not easy and often gives poor returns for much labour. Rainfall is extremely variable, and not only are there periods of drought in the early part of the rains, but, owing to impermeable soils, slight slope, and poor drainage, torrential storms later

1. The Democratic Republic of the Sudan, Southern Region: The Six-Year Plan of Economic and Social Development 1977/78-1982/83 (Juba - June, 1977), pp.6-18; Democratic Republic of the Sudan, Southern Regional Development Plan, Vol.1 (Rome, 1978), pp.61-85 .



in the rainy season cause severe flooding. It is for this reason that such high value is placed on livestock, which provides an insurance against years of poor crops. Yet despite this basic economic consideration, and despite the social and ritual significance of cattle, it seems that the main constituent of diet is dura.

The particular form of "transhumance"<sup>1</sup> characteristic of the Flood Region and the eastern parts of the Ironstone Plateau has much in common with that practised by the Nilo-Hamitic cattle-owners in the South-eastern part of Eastern Equatoria Province. At one extreme are the Toposa, who migrate with the seasons, though the pattern of movements is on the whole less regular than that of most Nilotic tribes; some sections are almost nomadic, having as a base semi-permanent villages and cultivation areas, to which only some of the population return. The Boya, whose villages are on the lower slopes of the Boya Hills, move out on to the plains during the dry season, while the Didinga, whose permanent settlements are on the south-western and north-eastern slopes of the Didinga mountains, drive their cattle either to hill-tops or to the surrounding plains. Unlike the Flood Zone, where the vast majority of the inland grasslands consist of perennials which are relatively valueless when dry and mature, here there are plentiful animal grasses, edible the whole year round, and the main problem is lack of water supplies. The other Nilo-Hamitic tribes of this

1. Transhumance is the seasonal movement of men and animals to fresh pastures. There are three main categories: (i) Alpine or mountains, a movement from the valley floors to the high summer (Alps or sectors) for the summer grazing, returning in autumn to the valleys as in Switzerland and Norway; (ii) Mediterranean, a movement from the drought and heat of the lowlands in summer into the mountains as in Spain; (iii) In Semi-Arid, grassland margins, a movement of nomadic pastoralists near the borders of deserts according to fluctuations in rainfall and, therefore, pasture following set seasonal tracks. Source: M.O. El Sammani and Philip Leek Deng, The Seasonal Migration of People and Their Animals in Kongor and Bor Districts, Jongele Province (Report No. 10, September, 1978), pp.10-11.



area - the Latuko, Lango group - have fewer cattle and are primarily cultivators, though livestock plays an important part in their economy.

In the remaining parts of the Equatorial Zone, the presence of tsetse fly makes cattle very rare, and though some peoples have comparatively large numbers of goats and some sheep, some people have no livestock whatsoever. The economy therefore ranges from mixed crop and animal husbandry to one crop production only, with a few minor subsidiary activities such as hunting, bee-keeping, etc.

While the Northern economy also relies on subsistence, it is far more developed in all sectors than that of the South. Thus you have irrigated schemes like Gezira, which covered an area of 1.2 million feddans, as well as private pump schemes along the White and Blue Niles, the Managil extension and Kashm El Girba Scheme.

To some degree this difference is due to historical factors. When the British occupied the country in 1898, they found that the South was far more backward and less developed than the North. By the outbreak of the War, the pattern of development had further altered significantly and decisively in favour of the North. In explaining the backwardness of the South compared to the North, John Tosh<sup>1</sup> offers an historical view. He sees the area as one where colonial rule failed to establish "symptomatic links" with the world economy. According to him, the economic backwardness of the Southern Sudan was the result of two fundamental policy assumptions:

- "(1) that the economy of the South was not permitted to be complementary to that of the North;  
and
- (2) that the road to development for the South

1. John Tosh, "The Economy of the Southern Sudan under the British, 1898-1955", in The Journal of Imperial and Commonwealth History, vol.ix, May 1981, pp.275-288.



"should follow along the lines of Uganda."<sup>1</sup>

However, the real motives for the colonization of the Southern Sudan was not economic, but strategic. The South has been a drain on the Government budget from 1898 to the present day. Until the 1880's the European and Arab Ivory/Slave trade was the extent of outside contact, excepting the brief efforts of the Turkiya administration (1878-83) to create an exchange economy based on cotton-growing in Bahr el Ghazal and Equatoria.

Internally the sale of surplus crops, and long distance trade in African artefacts seem to have been non-existent.

Economic prospects for the South were impaired by the lengthy period of pacification in order to establish the government's authority. Not until the 1920's did the Southern Governors consider economic policy and cotton growing; just as the Gezira Scheme in the North was being launched. Irrigated agriculture in the North received priority, exacerbated by the ignorance of the South among senior officials in Khartoum. The Depression of the 1930's made investment in the South even less likely.

Not until the mid 1930's did Khartoum become concerned with the economy of the South. Stewart Syms, the Governor-General, appointed Dr. J.D. Tothill, lately Director of Agriculture in Uganda, as Director of Agriculture in 1938. Due to continuing lack of funds, no initiatives were taken by Khartoum until the end of World War II.

The administration in the South itself was cautious about progress. Great care was exercised by administrators to preserve the integrity of the tribes by limiting in-flows of cash, discouraging growth of towns, and excluding disruptive external influences, commercial or educational. The Government also

1. John Tosh, op. cit., p.276.



wished to keep the South free of all Northern influence, partly due to religious and political considerations. This desire manifested itself in government intervention in the retail trade and the reduction of the number of the Northern traders in the South in the 1930's.

Before Southern policy was abandoned in 1946, the Government had already decided in 1944 on a major initiative in Sudanese economic development; for both economic and political reasons: the Northern moderates support in the Sudan's first political party, the Graduates General Congress, was desired; and they had to consider post-war anti-colonial opinion. As a result funds were finally made available for the South. Under the five year plan of 1946 for the Sudan, out of £E14,000,000, the South was allocated £E1,272,000, of which £E1 million was invested in the Zande Scheme.<sup>1</sup> However, this late attempt to develop the South coincided with the new Southern policy of that year ending the Southern protective isolation and quickly paving the way for independence.

Also neglected were the pastoral resources of the Southern Sudan. After the 1930's officials wanted to encourage trading in cattle so as to generate taxable wealth and provide (during the war) more beef for the allied forces in the Middle East. However, lack of funds and skilled manpower on the Government side was the biggest drag on the development of the South's pastoral resources under the Condominium.

The inability of the Government to provide the South with the basic outlines of commercial transport was a major restraint on economic development. According to John Tosh,

"the reason for the Southern Sudan's parlous economic condition at independence... was not simply

1. Tosh, op. cit., p.278; on the Zande Scheme itself, see C.C. Reining, The Zande Scheme (Northwestern University Press, 1966).



"official neglect, serious though this had been. The effect of government policies was actively to obstruct the kind of gradual, grass-roots expansion of the exchange economy which was taking place in other remote regions of the Sudan."<sup>1</sup>

### Education in the Southern Sudan

As with the economy, history and policy combined to give the South a different, and an increasingly distinct, educational system and philosophy to that in the North. While Southern education was slow to develop, dominated by the private sector and Christian in emphasis; in the North Islamic influences and the State played a greater role, and the development of education proceeded with considerable vigour immediately after 1898. Gordon College was founded as well as several technical and other schools in the towns and villages. In the South, nothing serious was at first attempted in education, which was left entirely in the hands of the missionaries. In 1926, however, the Sudan Government appointed two Inspectors of Education for the Southern provinces and made grants to missions to the extent of £2,000.<sup>2</sup> Over the next twelve years the missions greatly expanded their work and in 1938 the government introduced a system of substantially increased grants, coupled with financial assistance to mission societies, to enable them to bring out trained educationalists to undertake teacher-training and supervise the expansion and improvement of village schools. In 1946, further expansion was undertaken and, for the first time, nearly fifty years after the North, the establishment of a planned system of government schools was begun. In 1950 a further five year plan was formulated, which contained proposals for very considerable development in education at all levels in the Southern Sudan.

1. Tosh, op. cit., p.285.

2. Natural Resources and Development Potential in the Southern Provinces of the Sudan: A Preliminary Report of the Southern Development Investigation Team, 1954 (Sudan Government, London, 1954), p.150.



It was the intention of the Ministry of Education to introduce a further programme of expansion towards the end of 1954, which was to have the effect of doubling the then existing facilities at all levels within the five-year planned period, but due to decolonization and the speed with which the Sudan was heading for independence, this goal was not achieved. However, the rate of advance was growing rapidly as is shown by the following table which gives approximate total expenditure, both on government schools and personnel and on grants to missionary societies in the South:

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TABLE 1:2

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<u>YEAR</u>	<u>AMOUNT<sup>1</sup></u>
1926	£3,000
1938	£10,000
1947	£65,000
1951	£250,000
1953	£565,000
1954	£750,000

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The above figures cover only recurrent expenditure. In addition, considerable sums were made available as grants-in-aid for buildings at mission schools, as well as the capital sums involved in building schools. For instance in the period 1951-1955, a sum of £800,000 was set aside, £250,000 of which were earmarked for buildings to be put up by the missions.<sup>2</sup>

The chart on page 16 shows the then existing educational ladder in the Southern provinces and the number of schools and pupils (in parenthesis) at each level in 1953-54. At the base

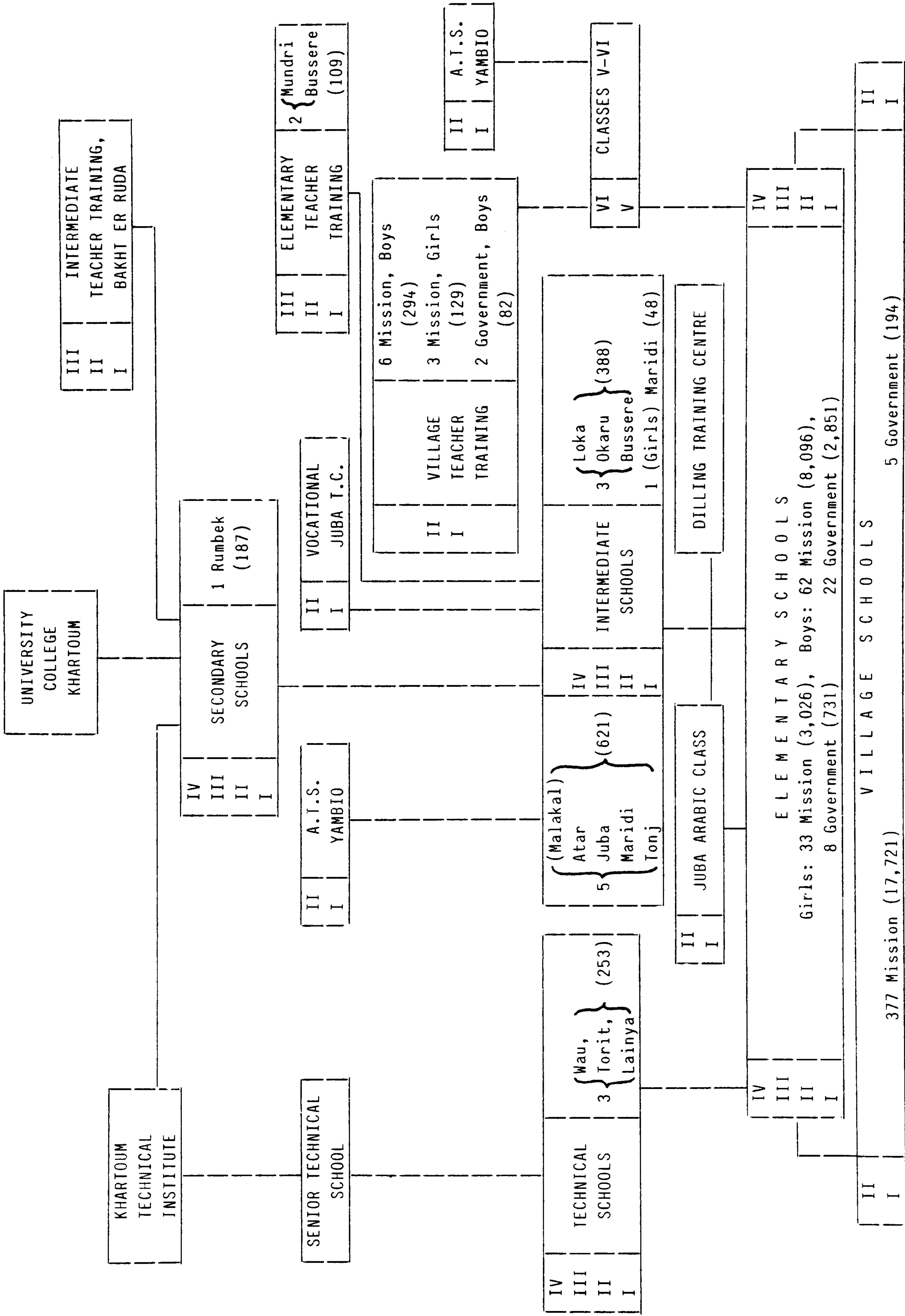
1. Report of the Southern Development Investigation Team, 1954, p.150.

2. Ibid.



EDUCATIONAL LADDER IN SOUTHERN PROVINCES 1953-54

- 16 -



Source: Report of the Southern Development Investigation Team, 1954, p.152.



of the ladder were the village schools. These schools taught the first two years of the elementary school curriculum, and then there was an examination whereby entry could be obtained into the third year of the elementary schools. This system was considered in many ways better than that which was in operation in the Northern Sudan, as it allowed every child who went to a village school (sub-grade) the opportunity of further education. The elementary schools taught the four years of the elementary curriculum (avenues of progress are also shown on the chart.

Village Teacher Training Centres trained teachers for the village schools, when the candidates had received two years of academic schooling after completing the four-year elementary course. The elementary teacher training course was of three years' duration, post-intermediate. At that time the training was carried on at two self-governing institutions, one Protestant and one Roman Catholic, but a proposal was made to concentrate all the teacher training at Maridi at the Government Training Centre, which was to be opened there in 1955.

The Agricultural Training School at Yambio trained at two levels: at the lower, agricultural demonstrators; at the upper, agricultural assistants, who were classified officials of the Ministry of Agriculture. The Juba Training Centre trained clerks, book-keepers, medical assistants and sanitary overseers. It also ran courses for administrative assistants, local government officers and soldier clerks, and provided afternoon and evening commercial classes. The Technical Schools gave a four to five year course, training artisans in carpentry, metalwork, motor mechanics, building, and shoe making and repairing.

The Juba Arabic Class was a special class, in which the students underwent a two-year course of intensive training of Arabic language, leading to a teacher training course at Dilling in the North.



In 1954 a draft five-year development plan was prepared, the main features of which were:<sup>1</sup>

- (i) the doubling of facilities for elementary schooling by doubling the then existing third and fourth classes at elementary schools and by the building of a number of new schools;
- (ii) the starting of an Elementary Teacher Training College at Maridi, to which the students of the two then existing training colleges would be transferred, and which would have an estimated output of 60 Elementary teachers a year;
- (iii) an increase in the number of boys' intermediate schools from eight to eighteen or twenty, and of girls' intermediate schools from one to three;
- (iv) the building of a second double-stream Secondary School in Juba, and the conversion of the Juba Training Centre into a Commercial Secondary School; and
- (v) the opening of a Senior Technical School in Juba, covering a wide variety of courses, with a student population of 360 boys.<sup>2</sup>

Like economic development, the educational development was faced with physical and environmental difficulties, particularly remoteness, scattered population and lack of infrastructure. The multiplicity of ethnic groups and languages, and the absence of an effective and widely known lingua franca, made the beginning of education far from easy. However, the pupil population in the year 1953-54, before the Southern disturbances in August 1955, was as shown in the following table:

1. Report of the Southern Development Investigation Team, p.151.

2. Ibid.



TABLE 1:3  
DISTRIBUTION OF PUPILS IN SOUTHERN SCHOOLS IN 1953-54

Type of School	Mission	Government	Total
Village Schools	17,721	194	17,915
Boys' Elementary	8,096	2,851	10,947
Girls' Elementary	3,026	731	3,757
Trades and Technical	253	160	413
Vernacular Teacher-Training	423 <sup>a</sup>	82	505 <sup>a</sup>
'Primary' Teacher Training	109	10	119
Intermediate	388	669 <sup>b</sup>	1,057 <sup>b</sup>
Secondary	-	187	187
Totals	30,016	4,884	34,900

Source: Lilian Passmore Sanderson and Neville Sanderson, Education, Religion and Politics in Southern Sudan 1899-1964 (Ithaca Press, London, 1981), p.306. Notes: Bracketed figures are estimates. There was unknown (but small) number of girls in village schools. Pupils in other schools are boys unless otherwise indicated. a: includes 129 girls. b: includes 48 girls.

In the North in 1954 the number of pupils in government and non-government schools was as follows:<sup>1</sup>

TABLE 1:4			
Type of School	Government	Non-Government	Total
Intermediate (Boys)	5,001	10,976 <sup>a</sup>	15,977 <sup>a</sup>
Intermediate (Girls)	7,321	1,089 <sup>b</sup>	8,410 <sup>b</sup>
Secondary (Boys)	2,037	1,806 <sup>c</sup>	3,843 <sup>c</sup>
Secondary (Girls)	128	279 <sup>d</sup>	407 <sup>d</sup>
Totals	14,487	14,150	28,637

1. Source: Mohammed Omer Beshir, Educational Development in the Sudan 1898-1956 (Clarendon Press, Oxford, 1969), p.165. Notes: a: includes 3,153 from Egyptian intermediate; b: includes 269 from Egyptian intermediate; c: includes 836 from Egyptian secondary; d: includes 70 from Egyptian secondary schools.



### North-South Relations in History (1830-1956)

The Southern Sudan, like many parts of Africa which are landlocked and far away from the coasts, had no contact with the outside world until the late 1830's, when the Egyptians' desire to discover and control the sources of the Nile led to an expedition to the South. This exploration was followed by four waves of "outsiders". First the slave traders; second Turko-Egyptian rule; thirdly the Mahdiya; and fourthly, Anglo-Egyptian Colonial rule.

The slave trade, as in Eastern and Central Africa, was carried out by outsiders, mainly Europeans and Arabs. This trade disrupted traditional life in the Southern Sudan and left its indelible marks on the minds of both Southerners and Northerners (Arabs). The Southerners still regarded Northerners as their traditional enemies, and the latter referred to the former as "Abid" or slaves in the post-war period.<sup>1</sup>

The advent of the Turko-Egyptian rule in the latter half of the 19th Century did not improve North-South relations. According to Mohammed Omer Beshir, the new administration met resistance from the Southern people and "took a long time to establish its authority".<sup>2</sup>

The Southern people were forced to shift their attention from local conflicts to survival in the face of increasing external pressures. Despite their resistance, the Turko-Egyptian administration was able to establish a degree of security, law and order; but it failed to suppress Northern Sudanese slave-traders. Powerful slave traders, like Zubeir Pasha and his son Suliman Zubeir, still had a free hand to send Southern Sudanese

1. Report of the Commission of Enquiry into the Disturbances in the Southern Sudan During August 1955 (McCorquedale & Company Sudan Ltd., Khartoum, 1955), p.124.

2. Mohammed Omer Beshir, The Southern Sudan: Background to Conflict (C.Hurst, London, 1968), p.10.



into slavery in the North. The practices of such traders from the North set the stage for the suspicion and misunderstanding which marked the relationship between the North and the South.

In 1881 a religious leader called Muhammad Ahmad from Nubia proclaimed himself the MAHDI of Islam and led a revolution, which removed almost all traces of Turko-Egyptian government from the Sudan. Upon the fall of the Turko-Egyptian administration in 1884, the Southern Sudan was exposed again to the most wanton and ruthless destruction at the hands of the Mahdi's followers. According to Robert Collins;

"...The Mahdis, like the Egyptian administration before them, crushed the tribes, smashing what remained of their former traditional way of life and causing in turn a further breakdown of tribal society... Although the tribes of the Southern Sudan were anxious to rid themselves of Egyptian rule, they did not wish simply to exchange the oppressive rule of Egyptians for that of the Mahdis..."<sup>1</sup>

Mahdism had no appeal in the South and failed to establish its rule over the people. Collins states this fact clearly when he writes:

"... one must regard the Mahdi's invasion as extended raids which upset the traditional pattern of tribal life and left nothing behind but anarchy and fear... strong enough to defeat the Negroids but never sufficiently strong to establish their hegemony over them, the Mahdis were to raid again and again not only to maintain their position but also to secure even the most essential supplies. And the only lasting result of these continual raids was the Southerner's hatred and fear of the Northern Sudanese."<sup>2</sup>

The invasion of the Anglo-Egyptian forces came in 1898 and put

1. Robert O. Collins, The Southern Sudan 1883-1898 (Yale University Press, New Haven, 1962), p.179.

2. Ibid., p.177.



an end to Mahdist rule in the Sudan. With this invasion the Sudan became a "Condominium".

By the terms of the Condominium agreement the town of Suakin remained under the Egyptian flag, but all the remaining territory came under the joint sovereignty of Egypt and Great Britain. Supreme power was centred in a Governor-General, appointed on the recommendation of the British Government, who could be removed only with the British Government's consent.<sup>1</sup> Sole legislative power was vested in him and the Sudan would remain under Martial law.

It is clear that by this agreement the Sudan was to be administered jointly; but in practice, however, it was the British who governed. Most Southern people were suspicious of this new government and some had to be forced to submit to it. But peace and traditional ways of life gradually re-established themselves. The administration encouraged the use of vernacular languages and customary Law. In 1917, a Southern Army Corps replaced the Northern Sudanese, especially those who had fought for the government pacification operations in the area. The administration encouraged, too, Christian missionary activity and divided the South into their "sphere of influence". These actions and policies explained that Egypt was a junior partner and had not much say in the Southern Sudan affairs at the time.

The themes of isolation and protection of the South, already discerned in economics and educational policy, became explicit characteristics of Colonial policy as a whole, shown in the development of the 'Southern Policy' of 1930-47.<sup>2</sup>

1. Peter Woodward, Condominium and Sudanese Nationalism (Rex Collings, London, 1979), p.7.

2. The early version of this policy was embodied in the Passport and Permits Ordinance of 1922. The ordinance empowered the Governor-General and his authorised representatives (i.e., Provincial Governors and District Inspectors or Commissioners) to declare any part of the Sudan a "closed district". These "closed districts" included Zalinjei and Dar Masalit district in Darfur province, the Nuba Mountains (cont'd)



### The Southern Policy of 1930-47

The main effect of this policy was to enhance the idea of two regions in the Sudan. The policy was explicitly formulated by the Government in 1930 and reads:

"His excellency the Governor-General, directs that the main feature of the approved policy of the Government for the administration of the Southern Provinces should be restated in simple terms. The policy of the Government in the Southern Sudan is to build up a series of self-contained racial or tribal units with the structure and organisation based to whatever extent the requirements of equity and good government permit upon the indigenous customs, traditional usages and beliefs."<sup>1</sup>

The Memorandum attached to this circular provided for the "gradual elimination" of Arabic-speaking officials in the Southern administration's Civil Service (Ma'murs, clerks, technical staff in the branches of the departments of Agriculture, Health and Public Works), the control of immigration of Northern traders into the South, the elimination of Arabic as language of instruction, official language and lingua franca in the South and the substitution of English as official language, and in elementary education Southern languages were used. Northern customs, dress, and Arab names were to be openly discouraged.

### The Abandonment of the Southern Policy

Peter Woodward argued that consideration of the abandonment of the Southern Policy could be traced back to January 1941,

(Cont'd): area of Taqali district in Kordofan province, certain areas of the Beja country in Kasala province, Darfunj and Gambela areas in Southern Blue Nile Province and the three Southern Provinces of Bahr el Ghazal, Equatoria and Upper Nile. Source: Sudan Government, The Passport and Permits Ordinance, 1922, the Laws of the Sudan (Khartoum: McCorquodale Company Sudan Ltd., 1926), pp.11, 558-572.

1. Beshir, op. cit., p.115.



when the Government began to be concerned about the South in the light of the pressures from the Northern Nationalists and Egyptian Government.<sup>1</sup> Coupled with these pressures was the fact that the South was neglected educationally and economically, and the British wanted to do something about this at the eleventh hour. As a result, a new policy was adopted in the following terms:

"To acquiesce in the continuation of traditional Arcadian existence of the South would be to abandon hopes of the economic and educational progress necessary to fit the Southerner for survival in the closer contacts with the outside world which must sooner or later be forced upon him. Government cannot hold the ring for him for ever, or even perhaps for very long ... should no extraneous considerations prevent the eventual decision on the political future of the Southern Sudan being taken solely with a view to the welfare and future prosperity of the Southern peoples themselves, it seems clear that it must be founded largely on an attempt to ensure that their political allegiance will be given in such a direction or directions as 'will coincide with their natural economic ties'. These ties have not yet been firmly established and the urgency of investigating them therefore has high political as well as economic and social significance. Their own future is at present not a subject of speculation among Southerners, so much as a subject about which disaffected, or unduly politically-minded Northerners (whether serving in the South or not) can stir up trouble in the Northern Sudan, in Egypt or in the South itself - not for the benefit of the Southerners but their own extraneous political ends. Apart from evidence that such trouble-making has occurred in one or two instances, there is no 'political situation' inside the Southern Sudan yet. There are however indications that many of the educated in the Southern Sudan - though their total number is still small - are puzzled and resentful about the backwardness of Southern Sudan, apart from their own personal ambitions."<sup>2</sup>

1. Woodward, op. cit., p.30.

2. Ibid., pp.30-31.



Although almost all Southern British administrators favoured the new policy as a change from viewing a separate South to that of considering it as a part of one Sudan, they had their misgivings about the future of the South.<sup>1</sup> The Civil Secretary, while insisting that the Southern Sudan had to be administered as an integral part of the Sudan, therefore suggested "safeguarding" the cultural and social integrity of the South against domination and mis-management by a government composed mainly of Northern Sudanese by means of certain powers "reserved" to the Governor-General in respect of legislation and administration adversely affecting the South; these powers could be supplemented by providing for a political official as an advisor to the executive body in Khartoum on Southern views, legislation and administration.<sup>2</sup>

The Southern administrators were not satisfied with these safeguards and made further recommendations. They suggested that an administration conference for the South meet in Juba.

### The Juba Conference of 1947

The Juba Conference met for two days in June 1947. It consisted of the Civil Secretary, James Robertson (as chairman), the two Governors of Equatoria and Upper Nile Provinces, the Deputy Governor of Bahr el Ghazal, the Director of Establishment, five Northern Sudanese and seventeen Southerners (chiefs, clergy, a few educated Southerners holding minor official posts), who were chosen by the province Governors. The main question before the Conference was whether the South should send full representatives, or merely observers, to the future Legislative Assembly in the North.

1. Deputy Governor, Wau, to "the Governor, Equatoria Province", January 7, 1947, B.G.P./SCR/I.C.I., SGA.

2. Sudan Government, Secretariat Central Office, "Notes on Situation, Regarding Southern Sudan, December, 1947", Khartoum, February 1948, SGA, p.4.



The Southerners at the beginning of the Conference were unanimous in their expressed distrust of the proposal to unite the two regions under one Legislative Assembly. For example, Chief Lolik Lado, a Southern delegate, regretted that he was not ready for these discussions as he had not been able to consult his people before coming to Juba. He gave the example of a girl, who has been asked to marry a young man, who usually needs time to hear more reports from other people of that man before consenting to marry him. It seemed to him that Southerners should have done likewise about the Northerners before coming to any fixed decision about their relations with the latter. He expressed fear that the ancestors of the Northern Sudanese were not peace-loving people, but liked to domesticate people like cows. He wondered whether the younger generation was different from its ancestors.<sup>1</sup>

Despite this fear and uncertainty about the political future of the South expressed by Lolik, the Conference was able to reach some agreements which included:

"a) that it was the wish of the Southern Sudanese to be united with the Northern Sudanese in a united Sudan; b) that the South should, therefore, be represented in the proposed Legislative Assembly; c) that the number of Southern representatives should be more than thirteen, as had been recommended by the Sudan Administration Conference; d) that they should be elected by Province Councils in the South and not by an Advisory Council for the Southern Sudan; e) that trade and communications should be improved between the two regions, and that steps should be taken towards the unification of the educational policy in the North and South."<sup>2</sup>

In December, 1948, there were, however, only thirteen representatives from the Southern Sudan not elected by the Province

1. Beshir Mohamed Said, The Sudan: Crossroads of Africa (The Bodley Head, London, 1965), p.57.

2. Muddathir, Abd al Rahim, Imperialism and Nationalism in the Sudan (Oxford University Press, 1969), p.171.



Councils as agreed at the Juba Conference; but chosen by British administrators in the South and appointed by the Khartoum Government.<sup>1</sup> The participation of Southerners in the Assembly did more harm than good to the idea of unity, because they were not agreeing with Northerners on many issues, especially the demand for an immediate independence of the Sudan.

In March 1951, a constitutional Commission was set up to advise the Governor-General on steps towards independence. Mr. Buth Diu, the only Southern Sudanese on the Commission, called for a federal link between the two regions. That was the least the South could accept; but the Northern representatives refused to consider this demand and Mr. Diu protested by withdrawing from the Commission.<sup>2</sup> The draft of the Self-Government Statute, however, came out with special safeguards for the South, similar to those which safe-guarded the interests of Northern Ireland in the United Kingdom.<sup>3</sup> These were struck off in the Cairo Agreement of February 12, 1953, which granted self-government to the Sudan. This Agreement was signed without a Southern representative, which resulted in the protest of Southerners in the Assembly to the Condominium Government; but this received no response. Instead, the first General Elections were carried out in 1953 and, when the first Parliament met in January 1954, there were 22 members from the South, divided as follows: "Southern Party 9; Independents 8; and Nationalist Unionist Party 6".<sup>4</sup> Some members of the Independents and S.P. joined the N.U.P. Government and were given three ministerial posts, two without portfolios. It is difficult to tell why they joined Ismail El Azhari's Government, but we can assume

1. Lilian Passmore Sanderson and Neville Sanderson, op. cit., p.297.

2. Oliver Albino, The Sudan: A Southern Viewpoint (Oxford University Press, London 1970), p.30.

3. Ibid., p.31.

4. Angelo Lobale Lokoro Loiria, Political Awakening in Southern Sudan, 1946-1955: Decolonization and the Problem of National Integration, (Unpub. Ph.D., University of California, Los Angeles, 1969), p.270.



that two factors did operate: a) some might have been bribed to accept the posts to give the Government a majority in the Parliament; and b) some might have been convinced by the Northern propaganda that the backwardness of the South compared to the North was due to colonial policies, thus joining Azhari's Government was to speed the departure of the British from the Sudan.

The other issue which created some suspicion between the Southerners and Northerners in the new Parliament was the question of "Sudanization". This process was to be concerned with filling posts formerly held by British officials in all branches of the Government, police and the Sudanese armed forces. For this purpose a committee, known as the Sudanization Committee, was set up and began its work in March 1954. As a result of this Committee's work, 800 posts were Sudanized. Out of this number the South received only four posts of Assistant District Commissioners.<sup>1</sup> The reason given for this small share was that there were no qualified Southerners to be given higher posts of Administration, Police, Prisons, and Armed Forces.

From what has been said so far, it is clear that Southerners wanted a form of federation to govern their relations with the North. However, the decision which cancelled the "safeguards" came as a double shock, not only to Southerners but to some of the British administrators. One of the latter reacted by stating that without protection "the Southerners ... will be overwhelmed and swamped by the North and deteriorate into a servile community hewing wood and drawing water. To pretend that there are no differences between (Northerners and Southerners) is like covering up a crack in a tree trunk with moss."<sup>2</sup>

The situation in the South soon deteriorated. The N.U.P. of

1. Albino, op. cit., p.33.

2. J.R.S. Duncan, The Sudan's Path to Independence (Edinburgh, 1957), p.197.



Azhari gave the Arab merchants in the South a large say in Southern politics and they became political agents of the North, passing information about Southern political activities to the Party.

In September 1954,<sup>1</sup> nearly all the Southern M.P.s met in Juba and passed a resolution calling upon the Government to grant a federal government for the South and from then on, the South called for this until General Abboud's regime made it treason for any person to be heard talking about federation. Although those M.P.s who were Ministers in Azhari's Cabinet did not attend the Juba meeting, they cabled their opinion to the Chairman, pledging their full support for the federation demand.

At this stage, Southerners became aware that the Union between their region and the North was not a genuine one. They likened it to the horse and its rider (the South being like the horse and the North the rider). Thus the assumption is that the Southern revolt of August 1955 was due to this discontent.

Despite this confused situation, the Prime Minister, Ismail El Azhari, tabled a motion in the Parliament on December 19, 1955, calling for independence in January 1956. The Southern representatives objected to the idea and declared that they would not pass that motion unless independence was achieved under a Federal Constitution.

The Southern determination not to pass the motion was, however, broken when the Parliament passed a unanimous resolution which states that:

"the claim of the Southern Members of Parliament for a Federal Government for the three Southern Provinces be given full consideration by the Constituent Assembly."<sup>2</sup>

1. Albino, op. cit., p.34.

2. Sudan Government, Parliament of the Sudan, House of Representatives, Weekly Digest of Proceedings, December 19, 1955, p.576.



Thus, the Sudan achieved independence on January 1, 1956, under this promise. The same year, a 46-man Constitutional Committee was appointed with only three representing the South. Without even referring to the Parliament's resolution of December 1955, the Northern representatives drafted a Unitary Constitution, which declared the country an Islamic State. The Southern representatives withdrew from the Committee in protest, after failing to get a hearing from the Northerners.

Thus when the British left the country, they were aware that the South was not happy with the way the North was favoured to take over the South. This situation gave the North hopes for the future expansion of Arabic culture and Islamic religion southwards.

In conclusion, we have tried in this chapter to show that Sudan is a vast country and heterogeneous; that many of the peripheral areas, like the Southern Sudan, are physically isolated from the national capital, thus making the concept of national unity difficult to attain. The Southern Region in turn is large and heterogeneous, which stands in the way of regional unity.

The economy of the South, which is subsistence and agricultural in basis, is "underdeveloped" and backward. The contributing factors initially are natural; but there are some man-made ones. Among the man-made factors must be included the fact that the British colonial attitude was that this economy "was not and must not be permitted to become complementary to that of the North; and that conditions in the South invited development along the path that had been followed with such success in neighbouring Uganda".<sup>1</sup> The policy of separate control of the two regions, and its reversal in 1940s, plus the missionary and government policies during the same period, created two differ-

1. Tosh, op. cit., p.276.



ent attitudes. Southerners during the decolonization period felt that they were different from the Northerners in language, culture and religion. According to Richard Gray, "the decisive, distinguishing factor between North and South seems,... to be a sense of belonging which has its roots in history and is conferred by birth. Completely isolated from the North until little more than a century ago, embittered by decades of subsequent hostility, and administered separately until the threshold of independence, the Southerner feels himself to be an African, while the ruling Northerner is proud of his Arab connexions".<sup>1</sup> These perceptions and attitudes were reinforced by the policies of refusal by the North to grant a federal government for the South and the disappointing results of Sudanization, which gave the North advantage over the South in Administrative posts, police and the armed forces personnel. All these factors combined resulted in the North-South conflict in the period 1955-1972, which is the subject of our next chapter.

1. Richard Gray, in introduction to The Problem of the Southern Sudan, (Oxford University Press), pp.1-2.



## CHAPTER II

### THE POLITICS OF VIOLENCE AND THE INITIAL DEVELOPMENT OF THE DEVOLUTIONARY SOLUTION (1955-1972)

This chapter, coming immediately after the chapter discussing the isolation and neglect of the South during colonial rule and the policies of self-government, is concerned with the politics of violence. It will mainly discuss the background to the 1955 mutiny: its events, its form and how it was suppressed; the post-mutiny government: its public conduct, economic programmes and policy measures towards the South; the Southern resistance movement: its form and organisation; the Northern military actions in the South; the Northern administration of the Southern towns (education especially); the effects of such actions on Southern consciousness and identity; the abandonment of a military strategy and the development of the devolutionary solutions; and the reasons for the delay in adopting the devolutionary solutions.

The political situation just before independence was that there were two major political parties: namely, the National Unionist Party, which until May 1955 favoured linking the Sudan with Egypt in some form; and the Umma Party, which favoured complete independence. The elections of 1953 brought to the new Parliament the N.U.P. with a small majority over all other parties. Twenty-two Southern members (roughly a quarter of the House of Representatives), were returned; 12 were from the Southern Party, 6 were N.U.P. and 4 were independents.

#### Background to the 1955 Mutiny

The August 18, 1955, mutiny of the Equatoria Corps at Torit



District in Eastern Equatoria Province was followed by violence and unrest in some other parts of the Southern provinces and forms a crisis point in North-South relationships in the period 1955-1972. The crisis created a situation of mutual distrust, suspicion and intermittent violence, all of which had continued to persist up to 1972, when the Sudan Government and the Southern Sudan Liberation Movement (S.S.L.M.) finally reached an agreement in Addis Ababa to end the hostilities and to grant the South a devolved system of government.

The Southern Sudan's violent reaction to the process of unification with the North was due to cultural and historical differences; the British colonial policies and practices of isolation and protection; and most importantly to the political events following the abandonment of the Southern Policy and the granting of independence under conditions favouring the North, as well as post-independence government policies. The reaction was a crisis in confidence, mutual understanding and legitimacy.

Southern grievances, which are set out in detail in the official Report of the Commission of Inquiry into the Southern disturbances, included charges for which both the British and Northern Sudanese were accused of being responsible. They ranged from general charges against the British "that the South, without being consulted and against her will, was made dependent on the Arab North",<sup>1</sup> to those connected with the process of self-rule and Sudanization. Southerners complained that they were not consulted during the 1945-1946 Sudan Administration Conference held at Khartoum, and that the Juba Conference of 1947, "was nothing short of a fraud in as much as the majority of

1. Joseph Oduho and Willian Deng, The Problem of the Southern Sudan (London: Oxford University Press, 1963), p.13. The Report of the mutiny's preceding events and enumeration of Southern grievances are found in the Republic of the Sudan, Report of the Commission of Inquiry into the Disturbances in the Southern Sudan During August, 1955 (Khartoum: McCorquedale, 1956), pp.12-85.



the Southerners were not agreeable to join the North, in a united country", and that those Southerners who took part in the conference were unrepresentative and were handpicked by the British administrators.<sup>1</sup> They had grievances against the Agreement of October 29, 1952, between Northern Sudanese political parties and the Egyptian Military Government of General Muhammed Najib, and the Anglo-Egyptian Agreement of February 12, 1953; they complained that they were not consulted and represented in those agreements.

Southerners further complained that they were given empty promises by the N.U.P. in regard to their participation in the political and administrative offices derived from Sudanization - but that no Southerner obtained a high post in the Government. The Commission of Inquiry considered Sudanization was the critical issue for the South.<sup>2</sup> Southerners charged that the South was not represented on the Sudanization Committee and in the Public Service Commission.<sup>3</sup> The latter had the function of advising the various ministries and being at their disposal for consultation, recruitment, appointment, transfer and retiring of government officials in the Public Service.

The second factor in the events preceding August 18, 1955, was the reaction of the self-government rule, in dealing with the Southern political situations. The following were the most prominent, according to the Commission of Inquiry:

- "1. The transfer of a popular Northern Sudanese Governor from Equatoria Province was not liked by the citizens of this province;
2. The reaction of the N.U.P. to the joining of the opposition Umma Party by some of the Liberal Party members, that 'they are fully aware of the conspiracies that are being worked out in the South', and their threat to the South that they would use force of iron in dealing with any South-

1. Republic of the Sudan, Report of the Commission of Inquiry, pp.18-19.

2. Ibid., p.20.

3. Oduho and Deng, op. cit., pp.24-25.



"erner 'who will dare attempt to divide the nation'. The Southerners' angry reaction was that, 'our brothers will use force against us' became the slogan of the politically outspoken Southerners as well as that of agitators."<sup>1</sup>

3. In May, 1954, two Southern (N.U.P.) Cabinet members resigned from their portfolios over disagreements with the Prime Minister, Ismail al-Azhari on issues relating to Southern affairs. Their resignation did not improve the North-South relations.

4. An alleged attempt by the Prime Minister and his Government to block the convening of the Liberal Party's third Juba Conference in July, 1955, added more indignation to the irritation of Southerners and led them into thinking that the government was attempting political intimidation and denial of their rights of assembly and expression.

5. In July, 1955, a Zande M.P., Elia Kuze, was imprisoned, "after a trial which at best can only be described as a travesty".<sup>2</sup> The M.P. had attacked the Assistant District Commissioner and Chiefs (apparently because of their support of Azhari's Government) in a political rally for having taken an active part in politics, whereas as Civil Servants they were expected to stay out of it. At the instigation of the A.D.C of Yambio, the M.P. and four other politicians were arrested and tried in a local court, ("chief's court") and, having been charged with a political offense of "criminal intimidation", were sentenced to seven years imprisonment. The politically conscious and outspoken Southerners, especially among the Azande, were displeased by this incident.

6. Also, in July, 1955, 300 Southern workers were dismissed en

1. Republic of the Sudan, Report of the Commission of Inquiry, p.21.

2. Ibid., pp.21-22.



masse from the Nzara cotton industry of the Zande Scheme by Northern Sudanese management. The dismissals induced the Nzara Workers' Union to protest and demonstrate on July 26, 1955. The administrators called in an army battalion (of the Equatoria Corps) and police, who were subsequently ordered to fire on the crowd - due, as explained by the authorities, to the shortage of police. Some Northern merchants are reported to have taken part in the shooting at the crowd.<sup>1</sup> The Commission of Inquiry estimated that six persons were killed in the incident. No inquiry was made by the government into the causes of the incident. The Commission of Inquiry's observation on the mass dismissals was that "To the Southerners they meant a deliberate attempt by the management (which is Northern) to deprive Southerners of a livelihood and bring in Northerners instead".<sup>2</sup> On Southern reaction to the incident, the Commission observed:

"The incident itself had a bad effect on the minds of the Southerners and was regarded by them as the beginning of a war; and if there was some confidence left in the administration, it disappeared completely."<sup>3</sup>

This last observation clearly states that the crisis of confidence and legitimacy. Actually, the loss of confidence was not only in the administration as represented by the policies and practices of the N.U.P. government but, unfortunately, and quite mistakenly, in all "Northerners" or "Arabs", whom the Southerners did not distinguish according to political affiliations, or on grounds of individual or group actions, but on territorial or regional identification. This was clearly shown in the indiscriminate killing of anybody who was identified as a "Northerner" or an "Arab", during and following the Torit Mutiny.

1. Report of the Commission of Inquiry, pp.100-101.

2. Ibid., p.99.

3. Ibid., p.102.



7. The government made further tactical political errors, not only by failing to heed the political complaints of Southerners, but by insisting on proceeding according to its policies and practices. Thus, instead of making inquiry into the Nzara incident, as some Southern M.P.s strongly suggested, the government responded by issuing a "further threatening ultimatum from Khartoum [which] was circulated and broadcast".<sup>1</sup> This ultimatum was, moreover, added to a rumour then widespread among Southerners, connected with an apparently forged telegram purporting to have been sent by the Prime Minister to Northern administrators in the South, instructing them to mistreat Southerners and not to listen to their complaints, since the Northern Sudanese would be the masters of the land during the coming independence. The government, knowing that this rumour had been circulating among Southerners, made no effort to dispel it.

The third set of factors underlying the 1955 disturbances was the immediate or precipitant events to the mutiny. Most of these are contained in the reactions of Southerners and, in turn, of the government described above. Such were, for example, the Nzara incident in which an army battalion and police were used to fire at the demonstrators; the stern issue of threats to use force by the government, the forged telegram; and the events following the "arrow incident". In the last case, a Southern Non-Commissioned Officer (N.C.O.) of the Equatoria Corps at Torit on August 7, 1955, shot at a Northern Sudanese postmaster with an arrow and, having missed him, killed a Southerner instead. Following an investigation into the incident, a plot to mutiny by the armed forces of the Equatoria Corps was discovered. Several persons implicated in the plot were arrested and brought to Juba (capital town of the Province). The bringing of those persons to Juba occasioned a demonstration in which the demonstrators were dispersed with the use of tear

1. Commission of Inquiry, op. cit., p.22.



gas. The people apparently interpreted the arrests as mainly of a political nature (as they could not have been told of the real reasons for security purposes); and they saw the use of tear gas, perhaps for the first time in the South, as a hostile action on the part of the government. Finally, after the discovery of the plot to revolt, the government authorities, at last, decided to take action. They openly announced that the two companies of the Equatoria Corps (who were aware that their plot to mutiny was discovered) were to be transferred to the North, and a company of Northern troops was flown into Juba. The two moves by the government produced other rumours, in the air, that the transfer was intended to take the two companies to the North, where they would have all been killed, and that the shifting of Northern troops into Juba was with the intention that they were to kill Southerners.

#### Mutiny Events: Form and Suppression

On the morning of August 18, 1955, the two battalions of the Equatoria Corps were ordered to be ready to mount on military trucks, which were to take them to Juba and thence to the North. The troops refused to mount the trucks on the pretext that they did not have their guns and ammunition. All attempts to persuade them to mount ended in insubordination and actual mutiny. One of the officers got into his jeep, having shot and killed his driver, who refused to drive, and drove to Juba. On reaching Juba, he broke the news of the Mutiny to the Juba Military Authorities; there occurred another incident of insubordination (when a group of Southern soldiers with a Southern sergeant refused to lay down their arms when ordered to do so), which induced another shooting and started the disturbances at Juba; but the town was completely under control. Meanwhile the Torit mutiny began to spread, not only in Equatoria, but to a minor degree to the other provinces of Bahr al Ghazal and Upper Nile; the troops at Torit began to communicate with Equatoria Corps companies and battalions in those provinces by use



of telegram and radio-telephones. However, the casualties in the latter two provinces were minor in comparison with those in Equatoria, where some Northern administrative officers, military officers and many civilians and Southerners lost their lives.<sup>1</sup> Those casualties included 261 Northern Sudanese and an estimated 75 Southerners.<sup>2</sup> A state of emergency was declared throughout the South. The rebellious troops were persuaded to lay down their arms and were promised that a fair and just investigation would be made into their grievances.

The result of the mutiny was that the North committed itself to military occupation of the South. The state of emergency declared, made freedom of assembly, expression and movement difficult. Those who were involved were arrested and later sentenced to prison or death.

Many mutineers did not surrender. Some of them crossed the borders into Uganda; but the rest remained in the South, an example being Lazarro Matik, who made his camp at Isoke in the Dongotono Mountains.<sup>3</sup> The state of emergency also prevented the re-opening of schools in the 1955/56 academic year, because Northern teachers were unwilling to teach while the state of emergency was declared, and also the loss of lives of their colleagues during the mutiny made some of them not go to the South. This situation retarded educational progress in the South. In addition, the only Academic Secondary School and Institute of Education were transferred to Khartoum. This was the situation in the South after the 1955 mutiny.

1. Commission of Inquiry, op. cit., pp.24-43.

2. Ibid., p.80.

3. For a sketch of Lazarro Matik in his camp at Isoke in the Dongotono Mountains, see Anthony Carthew's article in the London Daily Mail of February 2nd, 1966.



## Post-Mutiny Government Policies and Measures Towards the South

As we have stated that the problem facing the Government after the mutiny was the question of independence. We have shown that the Southern representatives in the Parliament were not ready to see the Sudan become independent without special status for the South, which was promised.

The post-mutiny government made considerable efforts to regain the confidence of the Southern Sudanese. The most able Sudanese Civil Servants were rushed South to replace those whose incompetence had done so much to spark off rebellion, and some Southern officials were quickly promoted to key posts in the provincial administration. Greater efforts were made to correlate educational practice and provision in the North and South. However, during the 1956-58 Parliamentary period, the Central Government in Khartoum was completely preoccupied with national economic problems and political difficulties. Three years' supply of cotton was still unsold and the foreign exchange reserves soon fell to low levels. Political difficulties and corruption intensified sectarian differences between the two powerful Muslim sects, the Ansar and Khatmiyya. The Coalition Government which ruled the country was the product of political opportunism, personal interest and sectarian loyalty, all held together by parliamentary manipulation. The impact of this policy was that the South remained backward. For example, the Zande Scheme received not much attention at all and under the military regime it failed completely. Not only that, but when the British left the country, there were numerous schemes proposed for the development of the South. Under the Northern administration, most of these projects had been postponed or abandoned in favour of economic undertakings in the North. These included the plans for growing sugar cane at Mongalla and Malakal, which were given up in favour of Junayd and Khashm al Girba in the North. A paper factory planned for Malakal was forgotten, as well as a fish canning plant, which was



moved North to Jabel al Awaliya. Plans for a meat-packing factory in the Bahr al-Ghazal was not effected.<sup>1</sup>

Faced with this situation, various groupings of Southern Sudanese intellectuals emerged in an attempt to represent Southern interests and to replace those Members of Parliament, who had, in their view, sold out to the Northern politicians.

This contrast between policy and actual achievement is well illustrated by the key area of educational provision.

### Northern Southern Education Policy and Measures

The blueprints of Northern Southern education policy were set out in 1954, when an International Education Commission on Secondary Education was invited to make recommendations on the system of education in the Sudan, and one of its main concerns was the Southern educational system. The Commission recommended that schools in the South should ultimately be taken over by the Government, so that Southern Sudanese would be provided with an education which would make them citizens of the country and able to take part in its development. Until that was done, the missionary societies, according to the Commission, should be asked to broaden the scope of their education. The Commission found that Arabic should replace English as the medium of instruction in Southern schools and that the vernaculars should be discouraged, because Southern children would not be able to pursue any reading in them after they had left school.<sup>2</sup>

These recommendations became the guiding lines for any Minister of Education since that time. For example, in 1955 the

1. Robert O. Collins, The Southern Sudan in Historical Perspective (Tel Aviv Shiloah Centre, Middle Eastern and African Studies, 1975), p.77.

2. Sudan Government, Report of International Commission on Secondary Education, quoted in Beshir, The Southern Sudan: Background to Conflict, p.74.



Minister of Education, in his address to the House of Representatives, stated that:

"It will be the policy of the Ministry of Education to have a unified system of education for the whole country. In accordance with this, it is essential to take immediate steps to assimilate the existing Southern system to that of the North, so that the entrance examination for boys' intermediate schools will be conducted on the same lines as that of the North and in Arabic. In the meantime allowance will be made for such modifications, as are considered desirable to meet local conditions and to promote a smooth transition from the old to the new."<sup>1</sup>

The policy stated that other agencies, notably missions, would be assisted to integrate their schools into the government system, and that financial support of approved non-government schools would continue.

The policy also emphasized religious education as a basic school subject and was to be encouraged by the state.

The policy set out how this would be executed at each level of education. For example, at the village school level, Arabic was to be introduced as a subject, while the vernacular languages would remain as mediums of instruction. At elementary schools Arabic was to be introduced as a subject throughout, with the view to its becoming the medium of instruction in third and fourth years in 1964. On the other hand, some English was to be taught as a subject in the same classes of elementary schools. All newly established intermediate schools were ultimately to follow the Northern pattern of education. At Elementary Teacher Training level a gradual stepping up of Arabic was to be followed, such that teachers would be equipped to

1. Sayyed Ali Abdel Rahaman, "Educational Policy for Southern Provinces", Sudan Weekly News, No.34, dated 11th April, 1955; published by National Guidance Office of the Social Affairs Ministry, Khartoum, p.3.



teach in Arabic. At Secondary and Technical School level, no specific language policy was stated.<sup>1</sup>

However, this policy was not executed until 1957, when conditions in the South returned to normal. In February 1957, the Minister of Education informed representatives of missionary societies that it had been decided by the government to take direct and full charge of education in the Southern provinces. He told them that all village schools and boys' elementary schools should come under his Ministry's control. The missionary societies expressed their willingness with the exception of the Roman Catholic mission, which made 13 demands before they would accept the plan.<sup>2</sup>

Two years after the takeover, the Minister of Education, in an address at Bakhter Ruda, the then sole Sudan Institute of Education, told the crowd that the government had become fully responsible for education in the Southern provinces and that Arabic was taught in all elementary, intermediate and secondary schools.<sup>3</sup> Thus between 1957 and 1958, Southern education was pressed into the service of political objectives. Southerners saw this policy not as simple growth, but as Northern imposition, as it became clear when General Ibrahim Abboud took power in 1958.

### The Government of General Abboud and the Development of the North-South Conflict

On November 17, 1958, General Abboud took power in the Sudan in a bloodless coup d'etat. He ended Parliamentary democracy. Southern M.P.s went home after they had decided to wait and

1. Sayyed Ali Abdel Rahaman, op. cit.

2. Beshir, op. cit., pp.75-76.

3. Republic of the Sudan, The Educational Policy of the Republic of the Sudan; full text of the Speech of the Minister of Education at Bakht er Ruda, 31st October, 1958, p.18.



see what the new rulers **would** do about the Southern demand for federation. Soon, the new rulers embarked on an intensified policy of cultural assimilation. The reasons given for such acts were that the Southern elite were the product of mission education, which was incompatible with Sudanese nationalism, equated in the North with Arabic culture and Islamic beliefs.

To pursue the integration of the South into the North in all aspects, the Abboud regime initiated specific measures including intimidation and arbitrary arrests of suspected Southerners. It set a ring of spies around some members of the Southern intelligentsia,

"... the Secondary School and University students on leave, the Government officials and ex-members of Parliament. The spy was not to detect crimes or intention to commit crimes only but he was to cooperate in the fabrication of charges against persons the Government had made up its mind to mistreat."<sup>1</sup>

In pursuit of an Arabic-Islamic oriented type of education for the South, the military regime decided in February 1960 to change the day of rest in the South from Sunday to Friday. This move was resented by students at Rumbek and Juba, who distributed leaflets urging other schools in the South, as well as those in public services, to go on strike.

This proved successful when, by mid-April 1960, all the schools in the South were on strike and closed down. The widespread opposition to the Northern policy of Arabicization and Islamicization is expressed in this passage:

"...But the recent decree of our government saying

1. Dunstan M. Wai, The African-Arab Conflict in the Sudan (Africana Publishing Company, New York, 1981), p.85.



Sunday, the religious holiday, becomes an ordinary working day, and that Friday, the Moslem religious day, is the only resting day for all citizens of every creed, clearly states that we Christians should disregard the tenets of our Christian faith and Islam must be imposed on us by the present regime... Since the day of our independence... never such an order was given... Is it because we are now ruled by guns, and our mouths closed, that we should be made to turn our backs to Jesus Christ, being forced to give up our dear religion? ...Let us resist, therefore, unanimously with our soul, our heart, our body, using the peaceful means. We appeal to all Christians in every walk of life and occupation, from Assistant Governors to the last street sweeper to boycott work on Sundays."<sup>1</sup>

Meanwhile Southern education did not improve much under Abboud. For example, there was in 1961-62 less than one Southern secondary schoolboy for every five intermediate schoolboy; in the North the ratio was one to 3.5. Moreover, the Southern share of the Sudan's schoolboy population (above village school level) had actually declined, from 14% to about 12.5% between 1954 and 1962. Only for secondary schoolboys had the Southern share increased from under 6% to 8%.<sup>2</sup> But this figure was still small for a third of the country's population.

On the other hand, Southern politicians became direct targets of the Northern administrators in the South. For example in 1961, the Governor of Equatoria Province, in a speech to the public in Juba, had this to say:

"We thank God that by virtue of the marvellous efforts of the Revolution Government, the country will remain forever united. You should turn a deaf ear to any evil talk which comes from politicians as you well know what has come of them in the last few years and you certainly don't want bloodshed again in the South. You are aware that anybody who interferes with public peace and tran-

1. Dunstan M. Wai, op. cit., p.87.

2. Lilian Passmore Sanderson and Neville Sanderson, Education, Religion & Politics in Southern Sudan 1899-1964 (Ithaca Press, London, 1981), p.362.



"quility will be dealt with severely and at once. During the days of Parliament the Southern Parliamentary members advocated a federal government for the South. Such ideas are gone with the politicians."<sup>1</sup>

This statement left no doubt in the minds of Southern politicians that the new rulers were not going to solve the Southern problem peacefully.

### Southern Reaction to Northern Policies and Measures

The Southerners reaction was "sullen resentment, flight and finally rebellion".<sup>2</sup> They saw subjection in the political, educational, economic, social and cultural systems being forged in the country by a Northern Government. There were rumours that Northern settlement of the South was underway to sever it from East Africa (which some Southern groups in Equatoria feel is the natural home of their kin). At this time Northern merchants used to get commercial licences more easily than Southern merchants. This created the suspicion in the minds of this group that economic exploitation was underway. Northerners were all over the South. They were policemen, merchants, school teachers and were now trying to impose their religion, culture and language on the South. All these were fears in the minds of the politicians of the South.

The other fear was that of imprisonment. According to Joseph Oduho and William Deng, correct figures for Southerners imprisoned since self-government for political reasons were not available, but a rough estimate of 5,000 would not be an exaggeration, including the following:

1. Oduho and Deng, op. cit., p.40.

2. Collins, op. cit., p.78.



<u>Name</u>	<u>Status</u>	<u>Sentence</u>
Ezboni Mondiri	former M.P.	10 years (released in September 1962)
Paulino Dogale	former M.P.	12 years (reduced to 5 years)
Dominic Murwel	former M.P.	10 years (released in September 1962)
James Jokweth	former M.P.	5 years
Kamillo Dhol Kwach	former M.P.	3 years
Samuel Renzi	former M.P.	5 years
Omar Suleiman	Liberal Party Secretary	7 years
Logihit Lokos	Chief	17 years <sup>1</sup>

Towards the end of 1960, it was rumoured that some members of the Liberal Party were to be arrested. These people left the country for Uganda, where they were granted a restricted political asylum. The members were:

Ferdinand Adyang	former M.P. (and ex-Minister of Mineral Resources)
Joseph Oduho	former M.P.
Saturnino Lohure	former M.P.
Nathaniel Oyet	former M.P.
Pancrazio Ocyeng	former M.P.
Marko Rume	former M.P.
Alexis Mbale	(a Liberal Party Secretary-General, Bahr el Ghazal branch)
William Deng	former Assistant District Commissioner (Political Service) <sup>2</sup>

Most of the M.P.s were from Torit District, and the Latuko and Acholi parts in particular. The Liberal Party Secretary was from Western Bahr el Ghazal, while the former A.D.C. was from Bahr el Ghazal and the only Dinka in the group. Incidentally,

1. Oduho and Deng, op. cit., p.41.

2. Ibid.



he was the Assistant District Commissioner of Kapoeta, Eastern Equatoria. What was common among these people was that they were Christians; spoke English; and were aware politically that the South was backward politically, socially and economically, which pushed them to demand "safeguards". It was on this basis that on 25 December, 1960, Fr. Saturnino Lohure, Joseph Oduho, Aggrey Jaden, Alexis Mbale and Pancrazio Ocyeng formed a political organisation called the Sudan African Closed District Union (S.A.C.D.U.), which changed its name in 1961 to the Sudan Christian Association (S.C.A.). The reasons for the adoption of this name were: First, the organizers wanted to cover up the political objectives of the organization; secondly, the Uganda Government would not have welcomed such a political organization for it would have been accused by the Sudan Government of harbouring subversive elements against that government; thirdly, the organisation wanted to keep the Sudan Government unaware of its existence; and lastly, there was the idea of gaining material and moral support from Christian organizations, hence the name "Christian Association".<sup>1</sup> Coupled with this was the desire to reflect the concept of religious oppression of the Southern Sudanese by the North. The main task of this organization was, however, to raise funds for the refugees and improve their living conditions.

The officers of this organization were Joseph Oduho President; Marko Rume, Vice-President, who was replaced in 1963 by Dominic Murwel; William Deng, Secretary-General; and Aggrey Jaden, Deputy Secretary-General. In 1963 the name was changed to the Sudan African National Union (S.A.N.U.) and after some shifting around, its Headquarters were moved to Kampala.

This is how the political wing of the Southern movement began and the question is: how did the "Any-Nya" start the actual fighting.

1. Elias Nyamlell Wakoson, The Anya-Nya Movement: Its Military and Political Aspects (unpublished M.Sc. thesis, University of Khartoum, 1978), p.240.



## The Rise and Development of the Anya-Nya

The word Anya-Nya is a Latuko corruption of "Inya-Nya", which means literally "Snake Venom" or incurable poison, in the Moru and Madi languages. The name had a powerful association among the Latuko and Acholi, because of an outbreak of inya-nya poisoning by the Madi witches in their areas in the 1930s. The witches were imprisoned in Torit and the mention of the word Anya-Nya at that time was enough to make people fear. Those who adopted this name, especially in Eastern Equatoria, thought that the Northern army would fear them because they were like the Anya-Nya. At the beginning, especially in Upper Nile and Bahr el Ghazal, the Anya-Nyas were known as "Koo Roor" (or Freedom Fighters).

The year 1961 was a quiet year but 1962 was the year Southern students went on strike to protest about the change from Sunday to Friday as the day of rest in the South. A great number of the boys left the country for Uganda, Zaire and Ethiopia.<sup>1</sup> They were motivated by rumours of the establishment of a Southern army in the bush, which required recruits, and of a planned invasion of the South by this army.

## The Pacalla Incident

At first, nothing went right. The rumours of invasion misled the Sudanese Army and Government. Many Southern students, who left the country, were disappointed as well. They expected to see, at any moment, units of a new Liberation Army appear. However, no such army came into being - students hanging around Gambella, an Ethiopian town on the Sudan's Eastern border became impatient. The Ethiopian Authorities frequently arr-

1. At this time Southern politicians in exile were travelling to foreign capitals, especially in Europe and Africa, to inform the leaders of those countries about the Southern Problem and to seek their help for a peaceful solution to the Problem; but students, and those who left the country in 1962, were not seeking a peaceful solution. They wanted to become freedom fighters to liberate the South from the North.



ested them and they were in danger of being returned to the Sudan. So in the month of September, 1963, they slipped into a camp near the post of Pacalla<sup>1</sup> south-west of Gambella, inside the Sudan. The recruits swelled out to several thousands (they claimed as many as six thousand), but they had at the most only four guns. Four men had experience in the police, one man had been a corporal in the army. These men trained the young schoolboys and other recruits. The Southern "politicians" in Ethiopia, promised them guns and other supplies. When a month had passed, the men were completely out of food and were hungry. They managed to capture two guns from the police at the near-by post of Pacalla. The dry season was now approaching. Paul Ruot, a Nuer and self-appointed Commander of the group, decided to take action, with or without guns. The hungry, inexperienced mob went to storm the Government post. After a three day battle, the shops, prison and police lines all fell to the freedom fighters. All the Northern traders in town were killed, except one woman called Umm Salama, who was kept prisoner and eventually returned to Akobo, the headquarters of the District.

The freedom fighters began to gain confidence. They had managed to get a few guns, totalling eleven, when they actually launched their attack. On the second day of the attack, Agola, the Anuak King, who supported them, brought fourteen more guns. These guns were relics of World War II, and were **all kept by** people living on the Sudan-Ethiopian border.

The Sudan Government had been expecting hostilities for a long time. After the capture of Pacalla, a company of soldiers was sent from Akobo hoping to recapture the post. The company

1. The account of the Pacalla incident was related to me by two people: Gabriel Bol Nhial, who participated in the incident, and who is now a post-master in Bentiu, Upper Nile Province; and Job Adier de Jok, who was official representative of the Anya-Nya in Ethiopia, after he was shot in the leg in Upper Nile in 1970. He was, too, a delegate at the Addis talks.



was ambushed on the way and the freedom fighters captured an automatic gun, ten boxes of ammunition, as well as some hand grenades.

The Army Force retreated to Pibor, reinforced themselves and came to reoccupy Pacalla. Agola brought seventy more guns, plus ammunition, to the freedom fighters. The freedom fighters then occupied a little island in the river near Pacalla, making it impossible for the Army occupying Pacalla to get water from the river. The Anya-Nya also cut the road to Pibor by occupying it near the Post. This situation went on until the seventh day, when four jet fighters were sent in from Malakal. The jets were accompanied by an ordinary Sudan Airways plane, which was carrying food and water for the besieged army at Pacalla. The Sudan Air plane, when landing, was fired at by the freedom fighters, and burst into flames. When the pilots of the four jets saw this, they returned to their base in Malakal. The Anya-Nya on the same day evacuated Pacalla.

When the Anya-Nya abandoned the seige of Pacalla, they started to spread inwards. They set up a camp in the remote swamps of Pibor. They were joined by many people and the process of company formation was started after a short period of training. When the rainy season started, the Anya-Nya began to move. In June 1964 Paul Ruot, the leader of the group, sent Paul Adung North along the Ethiopian-Sudan border to the Burun area. After reaching it, the unit turned west and reached the White Nile between Renk and Melut. Another unit under Paul Awel was sent towards Malakal. Awel's group was to control the area South of Malakal, especially central Nuer land. Gac Tut was sent to Lau Nuer Area. Daniel Cuol, another leader, was sent to Nasir area. Daniel Cogu, a Shilluk, was sent to the Shilluk country to inform the people there that the freedom fighters were coming. By the time of the fall of the Abboud regime in 1964, the Anya-Nya was spread all over Upper Nile Province.





## The Anya-Nya Activities in Equatoria and Bahr el Ghazal Provinces

The first action by the Anya-Nya in Equatoria took place on 16th of November, 1962, at Kajo-Kaji. The main participants were ex-servicemen in the Equatoria Corps, who had taken part in the uprising of August 1955 and who had fled to the hills or into the neighbouring countries at that time.

The operation at Kajo-Kaji, a short distance to the West of the Nile near the Uganda border, was directed against a small police post. Two rifles were captured by the Southerners, who were at that time armed only with pangas. The success of this beginning led to a much larger series of attacks in 1963. Here the opening of Anya-Nya activities had been timed to take place on August 18th, 1963, the anniversary of the outbreak of the 1955 uprising. But delays postponed the start until September 19th, when attacks were launched against Lasu, Kaya and Kajo-Kaji, west of the Nile, and Nimule, Pajok, Katire, Ikotos and Cukudum, where a car containing 5 rifles and a bren gun was captured while trying to leave the post the day following the attack.<sup>1</sup>

In Bahr el Ghazal, the major attack by the Anya-Nya took place in 1963. A Dinka named Bernardino Mau, who had been a corporal in the Sudan Defence Force until 1961, was sent by William Deng to initiate operations in Bahr el Ghazal. He arrived near Wau early in January 1964 with 99 men, only 12 of whom had guns.<sup>2</sup> Secret negotiations were opened with a group of Southern police and prison wardens in the town, and it was arranged that they would assist Bernardino. But by the night of January 11th, news of the impending attack had leaked out,

1. Storrs McCall, "The Rise of a Provisional Government in Southern Sudan", in University of East Africa Social Sciences Council Conference, Vol.4 (Nairobi, 1969), pp.1534-5.

2. Ibid.



and the prison wardens, who were supposed to be on duty were replaced. To make matters worse, the man delegated to pull the main switch in the power station at 8 p.m., plunging the town into darkness, was 10 minutes late in his duty. Bernardino and his men directed their main attack against the Army Barracks until their ammunition was exhausted, and Bernardino was wounded and captured. He was executed a few weeks later.

At this early stage, the Anya-Nya established few if any permanent camps, but kept on the move, frequently walking 25 miles to sleep the night following an attack. These hit and run tactics were necessitated by the lack of arms to defend any entrenched position.

The Anya-Nya was also engaged in propaganda from 1962 to 1963. The propaganda was carried out by people, who called themselves "Political Agents". Their task was to inform the masses in the rural areas about the objectives of the movement. In one of their manifestos, dated August 18th, 1963, the Anya-Nya appealed to all Southerners for their support and to non-Southern Sudanese living in the South to remain neutral. They also asked the Northern merchants, farmers, teachers, civil servants, police and armed forces not to support the Government, otherwise the Anya-Nya would fight them, not because they were Northerners, but because they had collaborated with that Government.<sup>1</sup>

In another Manifesto, addressed exclusively to Southerners, the Anya-Nya acknowledged efforts made by S.A.N.U. in its search for a peaceful solution, but proclaimed that violent resistance would make the Government of General Abboud decide for a solution. They stated that although they were not for violence, their patience had run out, because of the continuation by the army of hunting, shooting and killing innocent people in the

1. Voice of Southern Sudan, published by Sudan African National Union (SANU), Vol.1, No.4 (London, 1963), p.1.



South. They warned that their patience had then come to an end and that they were convinced that only the use of force would bring a decision:

"... our politicians in exile wherever they might be, will have our respect and confidence in the future too. They may continue their search for a peaceful solution... from today onwards we shall take action... We don't want mercy and we are not prepared to give it."<sup>1</sup>

The statement was, however, denounced by SANU's President, Joseph Oduho as harmful to the search for a peaceful solution, since not all channels of negotiation had been exhausted.<sup>2</sup>

Taxation was used for propaganda purposes by the political agents. They used to tell the rural population that the taxes they paid to the Northern administration were usually sent to the North to develop that part of the country. The political agents used to pose the question, "Are you ready from henceforth to donate money to the Arabs to buy arms to come and shoot you with? To whom do you think you can best give your money, to us or to the Arabs?"<sup>3</sup>

The Anya-Nya political agents at this stage were helped by other groups called "administrative officers". Their functions were to maintain justice, redress individual or group grievances and observe law and order in the villages that happened to be in the Anya-Nya Control Zones.

The Anya-Nya had no clear ideology and, as a result, each group utilized local customs and traditional values to further the aims of the movement. For example, in the Nuer Land mem-

1. Voice of the Southern Sudan, op. cit., p.2.

2. The Observer, October 6, 1963.

3. Wakoson, op. cit., p.169.



ories of great prophets like "Ngundeng", who fought the British in 1927, were voiced. Rainmakers and soothsayers were respected and consulted on important issues.

In summary, the period 1960-1964 in the Anya-Nya movement was characterized by: (a) spontaneous and voluntary recruitment; (b) no foreign elements participated in the training and organization of the Anya-Nya, which was done by ex-service-men; (c) the movement started its operations with traditional weapons ranging from spears, bows and arrows and swords; (d) the first operations at Pacalla and Kajo-Kaji won the movement popular support in these areas; (e) the neighbouring countries refrained from active support of the movement because some of them were still under Colonial rule (i.e. Uganda and Kenya).

However, the major set back for the Southern movement was the lack of coordination between the Anya-Nya and the politicians in exile as well as split within the political wing.

#### Politics in the Sudan and the Initial Development of the Devolutionary Solution, 1964-1966

Between 1958-1964, the military government of General Abboud was not only unpopular in the South. It was not liked in the North too. With the Southern guerilla war spreading quickly, the government asked for ideas from the civilian leadership on how to solve the Southern Problem. This occasion was used by the Northern political leadership to attack the regime itself, which resulted in riots and the eventual fall of the government in October 21, 1964.

Out of the October rising came a Cabinet of fifteen members. It was headed by Sir al-Khatim al-Khalifa, a former Director of Education, and a civil servant not affiliated to any political party and was also sympathetic to Southerners, because of



his long service in the South.<sup>1</sup> Each of the five political parties - Umma, NUP, Peoples' Democratic Party, Communists and the Moslem Brotherhood - had one representative in the Cabinet. Seven posts were filled by the Professionals' Front, to represent the workers, peasants, lawyers, engineers, teachers, academics and students. Two seats given to the South were filled by Clement Mboro, as Minister of the Interior, and Ezboni Mondiri, as Minister of Communications; both men were members of the <sup>then</sup> newly-formed Southern Front.

The October change brought with it two important factors as far as Southern politics were concerned. First, it led to the formation of a new Southern political organization inside the Sudan - the Southern Front - and second, it stimulated a search for a devolutionary solution to the Southern Problem.

### The Southern Front

While the riots were still going on against General Abboud's Government, about 51 Southerners met on 28th of October, 1964, and laid down the foundation plan for a Southern Front inside the country. The formation of the Front ensured representation of the Southern opinion inside the Sudan, and contributed to the steps leading to the devolutionary solution. But as a Southern organization under the Sudan Government's Control Zones, it was careful in its approach to the Southern Problem. It never came out clearly for a policy of independence of the South from the North. However, its objective was the need for a plebiscite in the South to find out what the Southerners wanted to govern their relations with the North (i.e. unity, Federation or separation).

The Front's formal application for registration as a party was

1. Ruth First, The Barrel of a Gun (Allen Lane, the Penguin Press, 1970), p.261.



not until June 1965.<sup>1</sup> The leadership positions of the party were distributed as follows: Clement Mboro, President; Gordon Mayen Mortat, Vice-President; and Hilary Paul Logali, Secretary-General. Aside from the three mentioned above, the Central Executive Committee of the Party included Abel Alier as Deputy Secretary-General and Henery Bago as Treasurer, with Isiah Majok, Lubari Ramba, Bona Malwal, and Darius Beshir as members.

Apart from Clement Mboro, all had been at Rumbek Senior Secondary School, and were in their thirties with some sort of professional experience. The group was also drawn from most parts of the South: of the nine there were two non-Dinka from Bahr el Ghazal (Clement and Darius Beshir), one Western Dinka (Bona Malwal), one Eastern Dinka (Abel Alier), and three Equatorians (Bago, Logali and Ramba). Compared to the SANU leadership, who were in their forties, some went to Rumbek (Oduho and Deng); the rest were intermediate school graduates. On the ethnic and provincial basis, SANU members were mostly from Equatoria, except for Deng and Alexis Mbale. The former was the only Dinka in the core of the Party. Most members of the SANU were former M.P.s in the 1958 Sudan Parliament. Thus, the Front was a real representative of the Southern people at this time.

In Khartoum, the Front maintained party offices and had a regular financial support from subscriptions. The party was not well organized outside Khartoum, largely due to the security situation and the constant fear among educated groups in the South of being known to be active in party politics. However, in Juba, there was a recognizable party organization. The provincial executive met fairly often and collected subscriptions and kept a bank account, but it was not openly active in Juba itself, and undertook very little work in the province at large.<sup>2</sup>

1. John Howell, Political Leadership and Organization in the Southern Sudan (unpublished Ph.D., University of Reading, 1978), p.221.

2. Ibid., p.222.



The Party's formation coincided with the search for a peaceful solution to the Southern Problem. On November 10, 1964, the Prime Minister, in one of his first statements, declared that his government was convinced that violence and armed measures would not solve the problem. He and Clement Mboro appealed for peace.

The fall of the Abboud government was welcomed by SANU leaders and on November 1964 they wrote to the Prime Minister a memorandum, in which they requested: a) general amnesty; b) recognition of SANU as a political party; c) convening of a round-table conference between the South and the North. The memorandum proposed Federation as the only solution for the Southern Problem.<sup>1</sup>

In response to SANU's memorandum, the Prime Minister on December 10, 1964, declared a general amnesty for all Sudanese who had fled the country since 1955, and for those who were tried in absentia, or wanted for trial on any political charge. He appealed to the refugees and the leaders in exile to return to the Sudan.<sup>2</sup>

The SANU leaders' response to this appeal was that: a) there should be no time limit for the expiry of the amnesty; b) repeal of the Closed District Ordinance and the Missionary Societies Act.<sup>3</sup> This Act was the one made by the government in 1962 to regulate a system of licences and the Missionary Societies activities in the Sudan. The SANU leaders insisted on Federation as the acceptable solution; and that the Vice-President of the Federation should be a Southerner; and that general administration and land policy should be controlled by a Regional Government. They also suggested that English should be recog-

1. The full text of this memorandum is found in Mohamed Omer Beshir, The Background to Conflict, Appendix 10, pp.154-7.

2. Ibid., p.89.

3. Ibid.



nised as an official language in the South; that restrictions on private missionary education be removed; that Rumbek Secondary School be raised to University level; and that two Assistant Directors of Education be appointed for the South, of whom at least one should be a Southerner. Other suggestions included the establishment of a Southern Economic Development Board with a Southern Chairman and a majority of Southern members; the granting of loans to Southerners to establish private business and cooperative societies; the re-creation of a Southern Army Company; the appointment of Southerners in the Foreign Service; and the establishment of Southern Courts, responsible to a Federal Supreme Court.<sup>1</sup>

To give these suggestions a trial, the Government concentrated its efforts on convening a conference inside the country. After lengthy negotiations conducted in Kampala by a representative of the Government and representatives of the Southern Front, SANU agreed to hold discussions in Juba. The Kampala Agreement provided for an appeal to be issued by SANU to the Southern Sudanese to call off the fighting in the South, and for the lifting of the State of Emergency as soon as there was a positive response to the appeal. The agreement was endorsed by the Northern political parties and the arrangements for holding a Round Table Conference at Juba on February 6, 1965, were started.<sup>2</sup>

The February 6th date was not met because SANU leaders were divided into two factions: an extremist view, led by Joseph Oduho, which stood for separation and negotiations outside the Sudan; and a moderate view, led by William Deng, which stood for a federal solution and negotiations inside or outside the Sudan.

1. Beshir, op. cit., p.90.

2. Ibid.



The deadlock over the place of the Round Table Conference was finally ended when William Deng and eight members of SANU in exile arrived in Khartoum on February 27th. Immediately after his arrival, William Deng set out to discuss with the Northern political parties the arrangements for the Conference. On March 3, the Uganda Minister of the Interior made a statement to the Uganda Parliament, to the effect that his government supported the efforts being made to reach a political solution to the Southern Problem. He was critical of the attitude of the Southern leaders in exile and accused them of being under foreign influence.<sup>1</sup>

Three days later the Sudanese Prime Minister called for a peace meeting on the South and declared that the Government was going ahead with the arrangements for the Conference. The meeting attended by the Northern political parties, the Southern Front, the Sudan Unity Party<sup>2</sup> and the SANU, represented by William Deng, decided to hold the Conference on March 16th, irrespective of whether the remaining Southern political leaders in exile would attend or not. The meeting appealed to the latter to return to the Sudan and contribute to solving the problem.

Faced with this situation, the remaining SANU leaders decided to attend, and sent a delegation.

### The Round Table Conference on the Southern Question

On March 16, 1965, the Round Table Conference, with equal representation from both sides, was convened in Khartoum. It was attended by observers from Algeria, Egypt, Ghana, Nigeria, Tanzania and Uganda.

1. Beshir, op. cit., p.91.

2. After the fall of the Abboud Government, Santino Deng, a Dinka from Aweil, who had been a Cabinet Minister in the ousted regime, formed the Sudan Unity Party. This Party stood for a united Sudan and shared basically the same philosophy as rightwing groups in the North, except on the issue of religion.



The Northern political parties presented one type of proposal. They wanted the Sudan united. The broad aspects of their proposal included:

- "(1) The Sudan, in its present boundaries, is one country having an international character and no part thereof is entitled to claim separation;
- (2) there are economic, political, cultural, and racial differences between the South and the North;
- (3) the South has a special status;
- (4) the political aspirations of the Southerners are to be recognised;
- (5) the South should have a Southern House of Parliament and local Council of Ministers;
- (6) the South must have special representation in the Civil Service Commission; and finally,
- (7) the Central Sudan Parliament is to deal with major issues such as defense, finance, foreign affairs and so forth, while the Southern Parliament is to be authorized to deal with matters of education, health, agriculture, etc. Other issues will be dealt with by the two Parliaments jointly."<sup>1</sup>

While the North was united to present such proposals, the Southern leadership were divided and unable to reach agreement among themselves. For example, Aggrey Jaden, on behalf of one group in SANU, called for the political independence of the South, while William Deng of the other faction of SANU, called for Federation. The Southern Front advocated self-determination, meaning that the South should be given the right to determine what its relations with the North should be. The North rejected the three Southern proposals, and argued: a) that the Sudan should remain united; b) economic development required the country to be one; c) that separation of the South would precipitate demand for separation from other regions of the Sudan; d) that self-determination was not an absolute right to be used by any faction without due regard to international relations; e) that the relationships between the North and South were not based on any exploitation or colonization which would justify the claim for federation; f) and finally that the administrative

1. Wai, op. cit., p.100.



system of the Sudan should be based on regional governments.<sup>1</sup>

The Southern counter argument was: a) that unity in the Sudan should be voluntary in nature; b) that economic development was not a prelude to self-determination; c) that Sudanization was Northernization, and the economic development of the South had been deliberately subjected to stagnation; and d) that the proposed regional system of government should be included in the list along with unity, local government, Federation, separation, and presented to the Southern public in a plebiscite.<sup>2</sup>

Although the Conference failed to agree upon the system of government for the country, it made specific proposals. The Northern parties proposed a devolved regional system of government for the South, which would have its own Parliament, executive, public service commission, development committee and University. They also suggested that a citizen from the Southern region should be appointed Governor by the Central Government, to preside over the Regional Executive Council.<sup>3</sup>

The Southern Parties, on the other hand, proposed a system of Government, in which each region would have control of its own financial and economic planning, foreign affairs, armed forces and internal security. Thus, the division of opinion went far beyond a dispute over the powers of a devolved Southern government (as occurred later at the 1972 Addis Ababa talks).

Faced with deadlock over the system of government, the Conference proposed a twelve-man committee to resolve the constitutional issues and report back in three months.<sup>4</sup> The Conference

1. Wai, op. cit., pp.102-4.

2. Ibid.

3. Ibid., p.101.

4. The Committee began its life with faltering steps. It was not constituted until nearly two months after the Conference, due to the engagement of the govern- (cont'd)



also recommended: (1) resettlement of the Southern refugees; (2) more rapid Southernization of police, military and administrative positions in the South; (3) equalization of wages between South and North; (4) assurance of freedom of religion and missionary activity for the Sudanese nationals; (5) early establishment of a University in the South as well as girls' Secondary Schools and a crash programme for agricultural training; (6) creation of a Southern development planning agency as well as increased expenditure.<sup>1</sup>

Two factors led to the failure of the Round Table Conference. First, the three Southern political groups at the Conference did not have a common platform. One group called for outright secession. Another called for a vague slogan of self-determination, and the third vacillated between federation and secession. None of them modified their stand during the Conference. The Northern side surmised that what the Southerners wanted was the separation of the South from the North.

Second, the Conference was held at a time when the Sudanese Government was losing support. The old political parties, who opposed any compromise with the South, were mobilizing to displace the Liberal and progressive October Government.

The October Government was replaced by a coalition of Umma-NUP, after the elections of April, 1965. With these political parties, the Southern Problem was not an urgent matter and was not taken seriously.

(Cont'd): government and the political parties in the General Elections. However, when it started its work, it made some important recommendations. It rejected a centralized, unitary system of Government and recommended regional autonomy for the Sudan. It failed to agree on the number of regions that would constitute the South and the method for electing the Regional Commissioner or Governor.

1. Wai, op. cit., p.101.



Politics in the Sudan From the April 1965 Elections to the  
Angudri Convention of 1967

Immediately following the Round Table Conference, elections in the Sudan were held and brought to power an Umma-National Unionist Part coalition, under Muhammad Ahmed Mahgoub, a man known for his antipathy to the South. Already by May, there occurred a warning of things to come when the village of Luigi Adwok, the Southern member of the 5-man Supreme Council, was burned in Upper Nile Province. July was the worst month ever experienced.<sup>1</sup> On July 4 at Torit, 150 people were killed; soon after, on July 8th in Juba, an argument between a Northern soldier and a Southerner over a transistor radio, sparked off a night of killing and burning by the army. 3,000 grass-roofed<sup>2</sup> houses were burned, and 1400 people killed. On July 11th at Kapoeta, 87 people were killed, and on the same day in Wau, another mass killing occurred, this time at a wedding party. Ottavio Deng and Cypriano Cier were married in a double ceremony in Wau Cathedral, and at the party afterwards, a Northern soldier came in and asked four Northerners present to leave. Following their exit, the soldiers opened fire on the guests, 76 people died, including one of the bridegrooms.<sup>3</sup>

These events caused a mass exodus of refugees from the Southern Sudan into the Central African Republic, the Congo

1. The killings were carried out mostly by army units to eliminate politicians and educated Southerners, or as reprisals. For example, in May 1965, while I was in Bor on holidays, it was reported one morning that the Anya-Nyas were at Malek, ten miles south of Bor. A unit of the army was sent to the area. On their way, they were ambushed by the Anya-Nya and lost some members, including the commanding-officer. When they returned to Bor town, they started burning sections of the town suspected as hiding grounds for the Anya-Nya. That night an official of the Ministry of Agriculture, a Southerner, disappeared and has not been heard of since then. The belief was that he was killed by the army because he was a known supporter of the Anya-Nya.

2. McCall, op. cit., p.1532.

3. Ibid.



(Zaire), Uganda, Kenya and Ethiopia.

On the political front, Deng's faction of SANU had not returned to exile following the Round Table Conference, but had remained in Khartoum. SANU-inside, as this wing of the party became known, established itself as another Southern party inside the country.

Meanwhile, SANU in exile was having its troubles. A group, headed by Joseph Oduho, George Kwanai, Pancrazio Ochieng and Marko Rume, broke away from the parent body under Aggrey Jaden, and formed the Azania Liberation Front (ALF). The Jaden group briefly adopted the name SALF, but a reconciliation committee brought the two groups together in December 1965, under the name ALF, with Oduho as President and Jaden as Vice-President. The headquarters of the movement was moved in about April 1966 to a place near Lui, in Equatoria Province.

In June 1966, Mahgoub was replaced as Prime Minister by Sadiq el Mahdi. During the short time of one year that he was in office, Sadiq made few initiatives towards the South. More killings in the South took place under him. For example, in March 1967, 48 chiefs and notables were killed by the Army in Bor<sup>1</sup>. By-elections were held in the South in March 1967, which SANU-Deng contested and the Southern Front boycotted, but the representation of the South in Parliament was made a mockery by the fact that 21 candidates (including 14 Northern merchants living in the South) had already been seated "unopposed" in 1965.

1. The Bor incident was as follows: Early in the month, a chief called Deng de Biar, who was accused of being a Northern Army spy, was killed by the Anya-Nya in a place called Ciir. When the news of his death reached the army unit in Bor, they immediately went out to the area. On their way, they collected 48 chiefs and notables, on the ground that they knew who killed Deng. At the end of the day, all these people were burned alive in a place called Paliau. This was what I was told at the time.



In May 1967, Sadiq was defeated in a power struggle with his uncle, the Immam al Hadi, and was once again replaced by Mahgoub.

In August 1967, a large Convention of Southerners in the Liberation movement took place at Angudri, between Maridi and Yei near the Zaire border. At this Convention, it was decided to replace all the Liberation political parties by the Southern Sudan Provisional Government. The Angudri Convention passed the following resolutions:

- "1. The first National Government was formed and named the Southern Sudan Provisional Government (S.S.P.G.).
2. The Convention passed a resolution transferring the political headquarters of the movement from exile to the bush in the Southern Sudan.
3. All other political organizations were dissolved and both the military and political wings were united.
4. The first national flag was created.
5. The Convention declared that there should be annual and regular Conventions of this kind."<sup>1</sup>

The Angudri Convention also formulated the New Government foreign policy, which envisaged the following points:

- "1. Close co-operation with all Liberation Movements in Africa for the liberation of the Southern Sudan from Arab rule;
2. opposition to imperialism, communism and racism;
3. support for all International Peace Movements;
4. support for a greater East African Common Market;
5. opposition to religious or racial prejudices and discrimination among the members and supporters of the S.S.P.G., and with this understanding a desire to negotiate and co-operate with any Arab Government."<sup>2</sup>

1. Wakoson, op. cit., p.253.

2. Ibid., pp.253-4; also Mohamed Omer Beshir, The Southern Sudan: From Conflict to Peace (C. Hurst and Company, London, 1975), p.61.



Thus the S.S.P.G. could be called the first Government of regional unity, because it brought together members of the three provinces as well as politicians and soldiers. The S.S.P.G. formation also marked the beginning of the maturity of the Southern political organization and leadership. The composition of the S.S.P.G. and its military wing was as follows:<sup>1</sup>

### Southern Sudan Provisional Government

<u>Personnel</u>	<u>Province of Origin</u>	<u>Portfolio</u>
Aggrey Jaden	Equatoria	President
Kamillo Dhol	Bahr el Ghazal	Vice-President
Akot Atem Mayen	Upper Nile	Defence
Arkangelo M. Wanji	Bahr el Ghazal	Deputy Defence
Gordon M. Mortat	Bahr el Ghazal	Foreign Affairs
Klement Moses	Equatoria	Deputy Foreign Affairs
Elia Lupe	Equatoria	Interior
Tadeo Bidai	Equatoria	Finance
George Kwanai	Upper Nile	Information
Andrew Achijok	Bahr el Ghazal	Deputy Information

### Military Command

Major-General Amadeo Tafeng	Equatoria	Commander-in-Chief
Brigadier Paul A. Batala	Equatoria	Deputy Commander-in-Chief
Colonel Joseph Lagu	Equatoria	Chief of Staff
Colonel Emanuel Abur	Bahr el Ghazal	Adjutant

### Provincial Commissioners

Daniel Jumi	Equatoria	Equatoria Province
Antipos Ayiei	Upper Nile	Upper Nile Province
Vacant		Bahr el Ghazal

1. Wakoson, op. cit., pp.256-7.



Despite the fact that the S.S.P.G. was formed on a tribal, provincial and regional basis, individual rivalry over leadership and key positions in the Government never ceased.

### Politics in the Sudan from the Angudri Convention to the Military Takeover of May 1969

In April 1968 elections took place in the Sudan. The Northern politicians were anxious to have a permanent Constitution. Southern constituencies number 60 out of a total of 215. In 3 of the 60 constituencies, no voting at all took place, and in several others candidates were returned with low totals. For example, the winning candidate in Torit got 30 votes; in Kajo-Kaji, 95. The highest vote for any candidate was 4910 in Tonj, where William Deng was elected.<sup>1</sup>

The election results in the South were as follows: SANU-Deng got 15 seats, mostly in Bahr el Ghazal Province; the Southern Front, 10; Independents, 4; and various Northern political parties, 28 seats.<sup>2</sup> Thus the Parliamentary voting power of the South was very weak. Given this fact, the Southern Front allied itself with the Democratic Unionist Party/Umma-Islam Coalition Government, receiving two Ministerial posts, filled by Clement Mboro and Hilary Logali. SANU-Deng, meanwhile, was paralysed by the death of Deng himself.

On May 5th, 1968, Deng and six companions were travelling from Tonj to Rumbek, where they were killed by unknown people. On May 9th, an army convoy reported finding the bodies of the party at Gurmar River, 15 miles along the Tonj road. People ventured out along the road and found that the Toyota had been ambushed.<sup>3</sup> A large pile of used cartridges,

1. McCall, op. cit., p.1533.

2. Ibid.

3. Ibid., p.1534.



of the G.3 type used by the Army, were discovered nearby. Many Southerners suspected that Deng was assassinated by the Army. The Khartoum Government promised a full Commission of Inquiry, but nothing emerged. Following Deng's death, SANU-inside adopted a stiffer line and became less inclined than the Southern Front to cooperate with Northern politicians.

Meanwhile in the South, despite the hope that the formation of the Provisional Government would unite the rival groups in the Liberation Movement, disagreement persisted. By September, 1968, Aggrey Jaden felt that he was not being fully supported in his leadership of the Provisional Government, and began to take a less active part in its affairs. The situation became confused and he left for Nairobi. His Vice-President decided to call another Convention in December at Ibba, but an insufficient number of delegates showed up. Finally, in March 1969, a Convention was held at Balgo-Bindi near Yei. The Balgo-Bindi Convention adopted the resolutions of the Angudri Convention with the following additions:

- "1. The name of the S.S.P.G. was changed and the Nile Provisional Government was adopted with Gordon M. Mayen (who was the Minister of Foreign Affairs in the S.S.P.G.) as the President and a Republic, the 'Nile State' was declared.
2. Separation from the North was the basic policy, while federation could be accepted as the least compromise..."<sup>1</sup>

Two months after the Balgo-Bindi Convention, a coup took place in Khartoum.

### The May Military Coup and Its Initial Supporters

On May 25, 1969, Colonel Gaafar al Numeiri was brought to power by a Free Officers Movement, patterned on the organizat-

1. Wakoson, op. cit., p.257.



ion within the Egyptian Army that had brought Colonel Gamal Abdel Nasser to power in 1952. The group included officers like Farouk Osman Hamadalla, Hashim el Atta and Babikier el Nur Osman, who were known as sympathizers with the Sudanese Communist Party views.

Like any other military-coup, the leaders of the new regime accused the deposed politicians of fraud and mismanagement. A ten-member Revolutionary Command Council, with one civilian (Sayed Babikir Awadalla, the former Chief Justice), constituted the new Supreme Constitutional Authority. Awadalla was made Prime Minister and Deputy Chairman of the Revolutionary Command Council. The Council promoted Numeiri to Major General, its Chairman, President and Minister of Defence. A 19-member Cabinet was formed under Awadalla; except for two R.R.C. Officers, the rest were civilians: four from the Sudan Communist Party, and the remaining 13 included members of the Democratic Unionist and Umma Parties, as well as other political parties' members, who were considered to be progressive and capable.<sup>1</sup> The Sudanese Communist Party leadership was suspicious of the regime leadership, which it considered to be petty-bourgeois, but was willing to cooperate with it.<sup>2</sup> The programme of the new regime included a peaceful solution to the Southern Problem, as declared in its June 9th Statement, which grants "autonomy" to the South, and is discussed in the next chapter. However, it recognised the existence of ethnic and historical differences between the North and South.<sup>3</sup> Thus, for the second time a Northern Government had publicly recognised the differences between the Arab-oriented North and the African-oriented South.

1. Dunstan M. Wai, "Revolution, Rhetoric, and Reality in the Sudan", Journal of Modern African Studies (Vol.17, No.1, March, 1979), p.77.

2. Gabriel Warburg, Islam, Nationalism and Communism in a Traditional Society: The Case of the Sudan (Frank Cass, 1978), p.121.

3. Appendix I.



The decision came as a surprise to the Nile Provisional Government, because it did not follow along the lines of the previous military regime, and since it was backed by an officer, who had already distinguished himself in his campaign against the Anya-Nya. Secondly, it was generally expected that the Government, which was seeking greater solidarity with the Arab Republics of Egypt and Libya, would relegate the African struggle against the Arab-oriented North to secondary importance, or ignore it totally.<sup>1</sup>

The reaction of the N.P.G. was that Colonel Numeiri was responding rather more to the opposition from the Umma Party, since a combination of opposition in the North and the war in the South would be difficult for the new Government to resist, so the granting of autonomy was an attempt to eliminate Southern opposition in order to tackle the mounting internal opposition. The new regime was seen as facing many economic problems. Until 1967, the Khartoum Government was spending annually £14 million in order to maintain the army in the South.<sup>2</sup> As a part of the economic deterioration, in June, 1968, Sudan foreign exchange reserves had fallen to £17 million, compared to £19.6 million in September, 1967. The balance of payments showed an even greater deterioration. At the end of 1967, it stood at minus £8.3 million, compared to minus £2.9 million at the end of 1966.<sup>3</sup> According to the N.P.G.:

"although the principle of a negotiated settlement is shared by both South and North, it is difficult to see how our people can opt for regional autonomy and postpone, so to speak, a bitter struggle for independent existence of the two regions."<sup>4</sup>

1. Warburg, op. cit., p.124.

2. Voice of the Nile Republic, published by the Nile Provisional Government, Vol. No.6, News Series, June 15, 1969 (London), p.2.

3. Ibid.

4. Ibid.



However, the N.P.G. was not the sole 'Government' of the South at this time. It was also opposed by politicians and Anya-Nya military personnel from Equatoria, who argued that it was dominated by non-Equatorians. The distribution of offices in the N.P.G. was as follows:<sup>1</sup>

<u>Office</u>	<u>Personnel</u>	<u>Province</u>
President	Gordon M. Mayen	Bahr el Ghazal
Vice-President	Marko Rume	Equatoria
Defence	David Kuak	Upper Nile
Interior	Camillo Dhol	Bahr el Ghazal
Finance	Clement Moses	Equatoria
Foreign Affairs	Arkangelo Wanji	Bahr el Ghazal
Cabinet Affairs	Akot Atem de Mayen	Upper Nile

Two months after the formation of the N.P.G., a rival government, dominated by Equatorian politicians and Anya-Nya military personnel, came into being on July 11, 1969. In their takeover statement, the Anya-Nya officers listed political confusion, disunity among the Anya-Nya, power struggle, corruption and the failure of the politicians to explain the Southern Problem to Africa and world, as the reasons for their assumption of power in the State of the Anyidi.<sup>2</sup>

The officers resolved that:

- "(1) The Anya-Nya administration in the former Southern Sudan will be run by the Anyidi Revolutionary Government;
- (2) The Government shall be run by a Revolutionary Council of 15 men, nine military officers and six civilian members. The Revolutionary Council shall be headed by the Commander-in-Chief of ANAF, Major General Emidio Tafeng Lodongi, as chairman;

1. Wakosan, op. cit., p.261.

2. Statement of the Military Takeover of Government in the State of Anyidi, 11th July, 1969, p.1.



- "(3) The supreme powers of the Anyidi State shall be vested in the Revolutionary Council;
- (4) The seat of the Government shall always be located in the State;
- (5) The Anyidi Revolutionary Government shall try to cultivate close associations with all Black African states.
- (6) The Revolutionary Government shall also try to strengthen relations with people or Governments which show sympathy for the Africans in the State of Anyidi Government.
- (7) There is no authoritative voice which represents the wishes of our people other than that of the Anyidi Government.
- (8) All former Southern Sudanese politicians are warned that propaganda jeopardising the Anyidi Revolutionary Government shall be considered as a hostile act, leading to severe punishment wherever the doer may be.
- (9) All political parties operating in Khartoum in the name of Southern Sudanese people are banned. Their leaders are warned that if they continue to mislead the world the price for such a crime is dear.
- (10) The Anyidi State remains divided into the administrative regions, each to be administered by a Commissioner confirmed or appointed by the Chairman of the Revolutionary Council.
- (11) The name Southern Sudan is meaningless and it is associated with the Arab North Sudan. The new name Anyidi is unique and associated with wars fought by our tribesmen in unity against the Arabs. The place Anyidi is historic for its wars and is African in origin. The name Nile is associated with the Arabs, particularly of Egypt, it passes through several countries and it is a foreign name. Be African please, and be original."<sup>1</sup>

The significance of the Anyidi Revolutionary Government did not lie so much in its programme or objectives, but rather in the fact that for the first time in the history of the Southern movement, the Anya-Nya had assumed political power in the bush and in its explicitly ethnic base. The composition of the Revolutionary Command and the Cabinet was as follows:<sup>2</sup>

1. Statement of the Military Takeover of Government in the State of Anyidi, p.3.
2. Ibid.



The Command Council of Anyidi State

<u>Office</u>	<u>Personnel</u>	<u>Province</u>
Chairman	Major General <b>Amadeo</b> Tafeng	Equatoria
Deputy Chairman	Brigadier Paul Ali Gbatali	Equatoria
Member	Brigadier David Dada	Equatoria
Member	Brigadier Paul Nyingori	Upper Nile
Member	Colonel F.B. Maggot Dangoro	Equatoria
Member	Colonel Joseph Lagu Yacobo	Equatoria
Member	Lt. Colonel Habakuk K. Soro	Equatoria
Member	Lt. Colonel Emmanuel Abur	Bahr el Ghazal
Member	Lt. Colonel Sunday Repent Gideon	Equatoria
Member	Civilian Aggrey Jaden	Equatoria
Member	Civilian Elia Lupe Baraba	Equatoria
Member	Civilian Camillo Dhol Kuac	Bahr el Ghazal
Member	Civilian Emedeo Awad	Equatoria
Member	Civilian Gabriel Gany	Upper Nile

Anyidi Cabinet

President, Major General <b>Amadeo</b> Tafeng	-	Equatoria
Vice-President, Brigadier Paul Ali Gbatala	-	Equatoria
Foreign Affairs, Civilian, Aggrey Jaden	-	Equatoria
Interior & Special Functions, Civilian, Akuot Atem de Mayen	-	Upper Nile
Finance, Civilian, Eliaba Loiboka Surur	-	Equatoria



Anyidi Cabinet (Cont'd)

Justice, Civilian, Elia Lupe Baraba -	Equatoria
Defence, Colonel, F.B. Maggot Dangoro -	Equatoria
Education, Rev. Fr. Paulino Dogale -	Equatoria
Agriculture & Animal Resources, Civilian, Camillo Dhol Kuac -	Bahr el Ghazal
Health, Colonel, Samuel Abu John -	Equatoria
Information, Civilian, Joseph Oduho -	Equatoria
Cabinet Affairs, Civilian, Michael Tawili -	Equatoria
Communications, Colonel, Joseph Lagu -	Equatoria
Economic Planning & Mineral Resources, Civilian, Arkangelo Wanji -	Bahr el Ghazal

Deputy Ministers

Foreign Affairs, Civilian, Servino Fuli -	Equatoria
Interior, Civilian, Daniel Jumi Tongun -	Equatoria
Finance, Civilian, Henry Kumboy -	Equatoria
Justice, Civilian, Solomon Anyang -	Upper Nile
Defence, Major Ferdinando Goi -	Bahr el Ghazal
Education, Civilian, Andrew Acijok -	Bahr el Ghazal
Information, Civilian, Clement Moses -	Equatoria
Communications, Civilian, Emedeo Awad -	Equatoria
Presidential Office, Civilian, Samson Kirir -	Equatoria

Representatives Abroad

<u>Country</u>	<u>Personnel</u>	<u>Province</u>
Congo Kinshasa (Zaire)	Civilian Francis Mayar	Bahr el Ghazal
Uganda & Head Office	Civilian Angelo Voga	Equatoria
Kenya	Civilian L. Okwera	Equatoria
Kenya	Civilian Peter Jada Jumi	Equatoria



Representatives Abroad (Cont'd)

<u>Country</u>	<u>Personnel</u>	<u>Province</u>
Ethiopia	Civilian Daniel de Kuot	Upper Nile
France	Civilian Lawrence Wol Wol	Bahr el Ghazal
U.S.A.	Civilian Michael Wal	Upper Nile

Like its rivals, the Anyidi Revolutionary Government did not gain the support of other groups, such as the Azande "Sue River Revolutionary Government".

The Azande group, under the leadership of Michael Tawili, backed by Colonel Samuel Abujohn, refused to acknowledge the Anyidi, as they did to the N.P.G. before. They created a state known as the "Sue Republic".<sup>1</sup> However, both Governments came to an end when Joseph Lagu formed his Southern Sudan Liberation Movement in 1971.

The Rise of Joseph Lagu and the Unification of the Southern Movement

Until 1963 Joseph Lagu was an officer in the Sudanese Army before he joined the Anya-Nya in the same year.<sup>2</sup> While in the bush, Lagu held different positions including Secretary of Special Functions under General Taf'eng, until 1964, when he took over the Eastern Equatoria region and built up an efficient, self-contained independent regional command.

In 1967 the Israeli Ambassador in Kampala had asked for a young officer to be sent to Tel Aviv to plead the Southern case

1. Wakoson, op. cit., p.261.

2. Details of how Lagu gained power and control of the Anya-Nya, are given in Edgar O'Balance, The Secret War in the Sudan: 1955-1972 (Faber & Faber, London, 1977), pp.132-42.



and Lagu was chosen. He stayed in Israel for eight months and was able to make connections. Once back in the South, Lagu became a client of the Israelis and when they started parachuting arms in September 1969, it was to Lagu's camp, and not Taffeng's.<sup>1</sup> This flow of arms became the basis of Lagu's propaganda claim that he was the one who brought weapons for the Anya-Nya. With those arms, he portrayed to the fighting men of the Anya-Nya that these were his personal achievements. This military propaganda had a remarkable effect on the fighting forces who were badly in need of arms to fight the enemy. The other factor, which won Lagu support among the Anya-Nya at this stage, was the fact that he possessed a military knowledge, which none of the other generals had. In October 1969, he formed his own Anya-Nya High Command Council which used to meet once a year.

Having consolidated his personal position in Eastern Equatoria, Colonel Lagu turned his attention to uniting the Anya-Nya under his command. In 1970 he was able to win over Colonel Frederick Maggot, the former deputy of General Taffeng. He also won over Colonel Samuel Abujohn, Chief of Staff under the Nile Provisional Government, and appointed him Commander of Western Equatoria region. Abujohn placed his Anya-Nya elements under Lagu's overall command.

Lagu spent the latter part of 1970 in winning over more adherents to his personal leadership and consolidating his authority over the Anya-Nya. His success was such that he was able to call a meeting in August 1971 of the military and political leaders, at which he announced the formation of the Southern Sudan Liberation Movement (S.S.L.M.), of which he became the head. He also promoted himself Major-General and additionally took on the post of Commander-in-Chief of the Anya-

1. Rolf Steiner, The Last Adventurer (Weidenfeld and Nicolson, London, 1978), p.203.



Nya National Armed Forces (A.N.A.F.), thus holding in a dual capacity the top military and political appointments.

Following this, and for the sake of unity of the movement, the leaders of the Nile Provisional Government stepped down on 10 July, 1970, and accepted the leadership of Lagu.<sup>1</sup> All other self-proclaimed governments and organizations dissolved themselves and declared their support for Lagu's leadership. After his complete take-over of power, he was not in favour of declaring a government in exile, or forming a political party in the South, but wanted to concentrate on building and developing armed resistance. However, pressure arose during 1970 from Southerners inside and in exile, for a political movement to be organized in conjunction with A.N.A.F. Lagu resisted this idea and it was only after some secret contacts had been made with Khartoum, on the possibility of a negotiated settlement of the Southern Problem, that he agreed to form virtually a small-scale government functioning under his control. He also made contacts with prominent Southerners abroad, some of whom had been representing the South in their own way, or acting for their own parties or governments, and formalized representation of the S.S.L.M.

The organization of the movement under Lagu was as follows:<sup>2</sup>

#### High Command

- |   |            |
|---|------------|
| 1. Major-General Joseph Lagu, Commander-in-Chief -                            | Equatoria  |
| 2. Brigadier Joseph Akuon, Commander Second<br>Brigade, Upper Nile Province - | Upper Nile |
| 3. Colonel Frederick Maggot, Commander<br>1st Brigade, Equatoria Province -   | Equatoria  |

1. Wakoson, op. cit., p.263.

2. Cecil Eprile, War and Peace in the Sudan: 1955-1972 (David & Charles, Newton Abbot, London, 1974), p.99.



High Command (Cont'd)

- |  |                |
|--|----------------|
| 4. Colonel Emmanuel Abur, Commander<br>3rd Brigade, Bahr el Ghazal - | Bahr el Ghazal |
|--|----------------|

High Civil Authority

- |   |            |
|---|------------|
| 1. Elia Lupe Baraba, Chief Commissioner -       | Equatoria  |
| 2. Elisapana Mulla, Commissioner of Equatoria - | Equatoria  |
| 3. Antipas Ayiei, Commissioner of Upper Nile -  | Upper Nile |
| 4. Dishan Ojwe, Police Commissioner -           | Equatoria  |
| 5. Commissioner for Bahr el Ghazal, Vacant      |            |

Emissaries

- |  |                |
|--|----------------|
| 1. Mading de Garang, London -              | Upper Nile     |
| 2. Lawrence Wol Wol, Paris -               | Bahr el Ghazal |
| 3. Dominic Akec Mohammed, U.S.A. -         | Bahr el Ghazal |
| 4. Angelo Voga, East Africa (Kampala) -    | Equatoria      |
| 5. Job Adier Jok, Ethiopia (Addis Ababa) - | Upper Nile     |

The aims and policies of the S.S.L.M. were issued in a booklet a month before the Addis Ababa talks in 1972. The ultimate goal of the movement was self-determination. According to the booklet, "we want our people to be able, of its own free will and under no threat or fear, to determine its destiny, either to remain in a unitary Sudan as a truly autonomous region, or to have nothing whatsoever to do with the North and tie our future with that of our African brothers in their States on our Southern borders".<sup>1</sup> The booklet warned that the South was not in a position to accept an imposed solution. However, it emphasized negotiations with the Anya-Nya.

With the Southern forces now aligned behind a single leader,

1. Beshir, From Conflict to Peace, op. cit., pp.66-7.



and with the Northern Government still willing to negotiate a peaceful settlement, conditions for the resumption of a devolutionary solution were again present.



## CHAPTER III

### THE DEVOLUTIONARY SOLUTION: THE ADDIS ABABA AGREEMENT OF 1972

This chapter will attempt to trace the steps leading to the devolutionary solution in the form of the Addis Ababa Agreement of 1972. It will focus its attention on the June 9th Declaration and how the Southerners responded to it; the role played by external forces to mediate in the conflict after the 1969 coup; how the negotiations were conducted and the difficulties encountered; and on the contents of the devolutionary solution and its timing in 1972. But before that, let us consider briefly the reasons for the coup and its links with the war in the South and the Communist Party of the Sudan.

Colonel Numeiri, in his plans to overthrow the civilian government, was helped greatly by Major Farouk Osman Hamadallah, who became Secretary of the planning organisation, after his dismissal from the army in 1966 for his part in demanding better conditions for the troops in Juba.<sup>1</sup> Major Hamadallah was known as a sympathiser of the Sudanese Communist Party. In Khartoum, where he worked in a number of civil servant jobs, he kept in touch with political developments in the country. Before the coup, he also contacted a number of progressive elements, including the late Abdul Khaliq Mahgoub, Secretary-General of the C.P., and Ahmed Suleiman, also a communist, who after the coup became first Ambassador and later Minister of Economics and Foreign Trade.

1. Colin Legum (ed.), African Contemporary Record, 1969-70 (London, 1970), (B) 48.



Although the C.P. was not in full support of the new regime's leaders, its attitude towards them was summed up by its Secretary-General, Mahgoub, when he said, "They are mostly people like myself in their mid-forties who have been in the movement for 20-25 years". In his opinion, there was no other alternative to them except the Muslim Brothers: "And who in his right mind wants them? Not, I believe, even the right-wing in America".<sup>1</sup> In short, the 1969 change in the Sudan was supported by the progressive forces, including the C.P. supporters.

Like most military regimes in Africa, the new leaders accused the ousted government of corruption, ineffectiveness, neglect and the failure to solve the Southern problem.

Their new programme included:

- "(1) regeneration of the economy through agrarian reforms, planned development projects, and nationalisation of the mainstays of the economy (e.g. banks, insurance, import and export trade);
- (2) institution of a popular mass democracy which would involve all sections of the society in various levels and organs of government;
- (3) peaceful solution to the Southern problem amidst work for national unity and stability;
- (4) pursuit of a radical foreign policy to reflect the revolution at home;
- (5) rebuilding the army and responding to its needs; and
- (6) purging the civil service of inefficient and corrupt bureaucrats."<sup>2</sup>

### The June 9th Declaration of 1969

This declaration addressed itself to historical and cultural differences between the South and the North and recognised that

1. Colin Legum (ed.), op. cit., (B) 52.

2. Dunstan M. Wai, "Revolution, Rhetoric, and Reality in the Sudan", in Journal of Modern African Studies (London), Vol.17, No.1, March 1979, pp.77-8.



national integration should be based upon those realities.<sup>1</sup> The Statement gave the Southern people the right to develop their respective cultures and traditions within a united Socialist Sudan. It also offered the South regional autonomy. This autonomy emphasized the building of a broad-based socialist movement in the South to form part of the revolutionary structure in the Sudan as a whole.

Within this framework, the programme of the autonomous South was drawn up to include:

- "1) the continuation and further extension of the Amnesty Law;
- 2) economic, social and cultural development of the South;
- 3) the appointment of a Minister for Southern Affairs; and
- 4) the training of personnel."

The Statement also promised the creation of a special economic planning board to prepare a special budget for the development of the South.

To implement this, a Ministry for Southern Affairs was created and Mr. Joseph Garang, a Southern Sudanese lawyer and a member of the Sudanese Communist Party, was appointed as Minister. His specific duties were: a) planning and supervision of local development projects in the South; b) planning for resettlement and rehabilitation of the returnees; c) planning and supervision of cadre training for the South; d) coordination of the Ministry's work with other Ministries and Departments; and e) to conduct constitutional and administrative studies in respect to the Southern problem.<sup>3</sup>

1. Appendix I.

2. Ibid.

3. Survey by Office of Southern Affairs, Khartoum, December, 1971.

The Ministry was expected to discharge these duties in an area where the war was going on between the Sudan Army and the Anya-Nya, with an underdeveloped economy, and where public utilities like roads and bridges were destroyed.

The Government was aware that, without peace in the area, these functions could not be carried out and, as a result, in July, two months after the coup, it delegated Mr. Garang to contact Anya-Nya Leaders in Uganda - but the leadership in Uganda then did not have a common platform. According to the Minister:

"... the rebel leaders have no common platform. Some of them insisted on secession and demanded that a Conference be held with Khartoum to work out practical measures leading to that goal. Others go further and say they must shoot their way to the independence of the South Sudan."<sup>1</sup>

While in Kampala, Mr. Garang offered to give an all-expenses-paid trip to two delegates from the exile group to travel by air to the Southern Sudan in order to see the situation there, and to allay fears and suspicions. Replying to concern expressed by refugees at the presence of the Army in the South, the Minister said: "it was impossible to withdraw the Army while there were armed civilians (Anya-Nya) engaged in military rebellion. If you can get the Anya-Nya to lay down their arms, the army will leave tomorrow".<sup>2</sup> It was not reasonable, he argued, to expect any government to withdraw its forces when there was an armed rebellion.<sup>3</sup>

Earlier, on July 22, the President of the "Nile Provisional Government", Mr. Gordon M. Mayen, said in Kampala that his gov-

1. A Revolution in Action, Regional Autonomy for the South No.2, published by the Publication Section, Ministry for Southern Affairs, (Khartoum: n.d.), pp.21-2.

2. Africa Contemporary Record, op. cit., (B) 55.

3. Ibid.



ernment was prepared to negotiate with the Khartoum authorities.<sup>1</sup> Mr. Mayen said that he would like to see negotiations arranged by the O.A.U. He also said that the Nile Government's aim was complete separation from "the Arab North". The Arab suggestion of self-government for the South was unacceptable because it was "an Arab imposition of a solution upon us", and not a negotiated settlement. Mr. Mayen said that the South had lost almost a million lives through "Northern genocide" and that consequently, bitterness prevailed. The South was afraid that any other solution, other than complete independence, would not prevent the same situation from arising again in the future.<sup>2</sup>

By the end of the year the regime's new policies had made very little real impact on the Anya-Nya. Disappointingly for the new regime, there was an unexpected renewal of military activity in November and December, especially in Upper Nile and Equatoria. There were signs of more professional military tactics being deployed by the Anya-Nya. There were operations in November, when three bridges were destroyed on the Juba-Torit and Juba-Nimule roads. Four army trucks were ambushed on the latter road; bazookas were used by the Anya-Nya.<sup>3</sup> These attacks continued through December and warned the Sudan Government that the Anya-Nya was getting stronger and effective.

Within the North, the regime faced opposition from many groups. From 1969 to 1971, six major attempts were made to overthrow the regime.

The first attempt was on July 20th, 1969, when 90 persons conspired to overthrow the government. The group included army officers, non-commissioned officers and civilians, mainly from

1. African Contemporary Record, op. cit., 56.

2. Ibid.

3. Ibid., 57.

the Nuba people. The apparent causes were domination of government by Arab Sudanese; lack of economic development in their area; and opposition to radical policies of the government at the beginning.<sup>1</sup>

The second plot took place on December 13, 1969, when an attempt by the Moslem Brotherhood group to overthrow the Government was discovered. The group were opposed to the revolutionary rhetoric of the regime and fear of Communist influence in the Sudan.

The third attempt was on January 12, 1970, when several non-commissioned officers were arrested. Their leader was Brigadier Abdulla Mohamed Adam. The apparent cause was ideological differences between the regime and the group.

The fourth plot took place in March 1970, when an attempt was made to assassinate Numeiri, while visiting the Aba Island, where Imam el Hadi fled to after the coup. The group were the Ansar led by the Imam himself. The cause was opposition to the military regime.

The fifth plot was by the Moslem Brotherhood members, for the second time. It took place on November 9, 1970. The apparent causes were: opposition to a military regime; restoration of parliamentary politics; and desire to establish an Islamic state.

The sixth attempt at this period took place on July 21-23, 1971, when the Army Officers sympathetic to the Sudanese Communist Party took over the Government for two days. The groups included Lt. Colonel Babiker el Nur, Majors Hashemi el-Atta and Farouk Osman Hamadallah. When the attempt failed all the

1. Adapted from Dunstan M. Wai, The African-Arab Conflict in the Sudan (Africana Publishing Company, New York, 1981), pp.187-188.



leaders were executed, including important members of the Communist Party. The apparent causes were the attempt by the Government to join the proposed Federation of Egypt and Libya and the differences between the Government and leaders of the coup on many domestic policies, including the banning of the Communist Party.

Despite these plots, the Government was able to make contact with the Anya-Nya and Southern politicians in exile through two international bodies, namely the Movement for Colonial Freedom (M.C.F.) and the World Council of Churches and its African counterpart, All African Conference of Churches (W.C.C./A.A.C.C.).

### The Mediators and Their Role in the Steps Leading to the Devolutionary Solution

The first attempt at mediation was made by M.C.F. The organization had been interested in the Sudan before independence.<sup>1</sup> In January 1970, the Socialist Zionist Party of Great Britain and Northern Ireland, called Mapam, put forward a resolution to the Annual Delegate Conference of M.C.F. in March. This deplored the treatment of the Kurds in Iraq and the Southern Sudanese by their respective governments, and it served to draw the attention of M.C.F. to the Sudan Conflict. A Second Secretary of the Sudan Embassy in London, Ali Abu Sin was invited to speak on the Southern Problem to the Central Committee of M.C.F. in the House of Commons. When the Annual Delegate Conference took place on 14 and 15 March, he was again invited, and so was Mading de Garang of the Southern Sudan Association.<sup>2</sup> The resolution, as it stood, was not debated because it linked together the Kurds and the Southern Sudanese,

1. Dr. Louise Pirouet, "The Achievement of Peace in Sudan", in Journal of East African Research and Development, Vol.6, No.1 (Nairobi, 1971), pp.115-143.

2. Ibid., p.117.



and on the day before the Conference, the Kurds reached a temporary agreement with the Iraq Government, but both Abu Sin and de Garang were given the opportunity to address the Conference, putting forward their different points of view. As a result of this, M.C.F. decided to see if it could assist in achieving a resolution of the Sudan Problem. Its General Secretary, Barbara Haq, was deputed to explore the possibilities.

Two days after the Conference she lunched with the new Sudanese Ambassador to London, Abdin Ismail, and a series of meetings followed, some between herself and the Ambassador, and others between herself and Mading de Garang. Nothing came out of their contacts. However, neither side wanted to lose the chance of using the M.C.F. should it turn out that the other side was genuinely interested in negotiations. So the contacts continued, although the two parties had different understanding of what it was they were aiming at. The S.S.L.M. wanted any talks to be held outside Sudan and under the chairmanship of an African Head of State. While the Sudan Government wanted an internal settlement.

In 1970 M.C.F. sponsored two delegations to Sudan at the invitation of the Sudan Government. In June 1970 no MPs were free to go because of a General Election in Britain, and a delegation of Trades Union leaders went instead. A party of MPs visited Sudan in October. Between the two visits, Barbara Haq persuaded Abdin Ismail and Mading de Garang to meet. Abdin Ismail would not go to the Southern Sudan Association, and Mading de Garang would not go to the Sudan Embassy, so the meeting took place in Barbara Haq's flat, and it was informal. After it, by a letter dated 10th August, Barbara Haq wrote to report on the meeting. She gave a fairly encouraging report of the possibilities as she understood them:

1. Dr. Louise Pirouet, op. cit., p. 117.



"Proposals of the nature suggested may not be accepted by all the leadership of the Anya-Nya. But if a clear offer on the nature of autonomy is given them, there is every chance that a major part would accept, and that remnants then carrying on fighting would become isolated and more easily crushed. It would also enable many of the former politicians now in exile to return to assist in building the South in a way which the present offer of amnesty does not offer. Please give this matter urgent thought and let us at least try to win over those like Mading and Lawrence /Wol Wol/ who can, I am sure, be of assistance in developing the South in a united Sudan."<sup>1</sup>

It is not clear whether it was due to this letter or to an official visit, that in early September, 1970, Joseph Garang again visited London and a meeting took place between him and SSLM representatives in Barbara Haq's flat. The SSLM representatives this time brought with them Brian MacDermot, Chairman of the Southern Sudan Association. Both Joseph Garang and Barbara Haq thought that he was there at his own insistence and blamed him for certain difficulties that arose.<sup>2</sup>

In October 1970, the delegation of British MPs visited Sudan, and were accompanied by the Sudanese Ambassador to London, Abdin Ismail, and by Barbara Haq. Mading de Garang was invited, too, under a guarantee of safe conduct, but he refused. However, he asked the delegation to try and visit certain places in the South (Torit, Yei, Aweil, Bor, Tonj, Gogrial, Maridi, Bentiu and Ler) and to meet certain people (including Abel Alier, Isaiah Majok, Franco Wel Garang, and Hilary Logali). The delegates were able to meet most of the people suggested, but only able to visit the first three of the places Mading de Garang had suggested.

During the visit, Barbara Haq, Abdin Ismail and Joseph Garang

1. Dr. Louise Pirouet, op. cit., p.118.

2. Ibid., p.119.



had further discussions. It had been suggested by the SSLM that preliminary talks should be held, either in London, or in Uganda, between themselves and selected Southerners in whom they had confidence. Haq listed Franco Wel Garang, Samuel Aru Bol, Cleto Hassan, Hilary Logali, Natale Olwok Akolawin and Canon Amosa. As a test of good faith of the Sudan Government, they also asked that Clement Mboro, who was being held as a prisoner, should be temporarily released to join them, but he was not released. However, by 30 October, 1970, the SSLM showed willingness to participate in preliminary discussions with the Sudan Government. Joseph Lagu, the leader of the SSLM endorsed the idea, but no negotiation took place.<sup>1</sup> When the Sudanese Communist Party coup took place and failed in July 1971, all these attempts to mediate by MCF came to an end too. Joseph Garang was hanged for his alleged role in the coup. Abel Alier then Minister of Supply and Internal Trade, was appointed Minister of Southern Affairs. He, like Garang, was involved in the attempts to convince the Anya-Nya to negotiate. However, it was under him the WCC/AACC became involved in the mediation process directly.

### The WCC/AACC Mediation

The first attempt by the Church to mediate was in 1966, when the All African Conference of Churches made its first goodwill mission to the Sudan. The members were invited by the Sudan Government to observe the situation which led to the flow of Southern refugees to neighbouring countries, where the Church helped them to get shelter and food.<sup>2</sup>

At the end of their mission, the delegation made recommendations to the Sudan Government. They suggested that qualified

1. Dr. Louise Pirouet, op. cit., p.120.

2. The Hard Road to Peace; A Report to the Churches of Africa on their part in the Reconciliation in the Sudan and an appeal by All Africa Conference of Churches (Nairobi, n.d.), p.6.



Southerners should be given a larger place in the administration of the South, by transferring Southerners who were then working in the North, and by using more Southerners in the public service throughout the Sudan. They urged that the Constitution of the Sudan should be neither Islamic, nor Christian, in character. They also recommended that the Sudanese Government should put an end to the struggle with the Anya-Nya, not by military operations but by efforts at peaceful reconciliation. They requested that a group of Southern and Northern Sudanese trusted by Southerners, should be given the task of negotiating with the Anya-Nya. They warned that it was one thing to take the Anya-Nya as outlaws, but it was another to think of them as Sudanese with whom the Government could enter into negotiations.<sup>1</sup>

The invitation of the All African Conference of Churches in 1966 was to show the world that the Sudan Government was only against European missionaries, and not the African ones, and in an attempt to reduce Church support for the Southern exiles.<sup>2</sup>

The report of this mission was not welcomed by the Anya-Nya, who felt that it was a one-sided view of events, which favoured the Sudan Government, and that they had not made sufficient efforts to learn of the sufferings of the Southerners at the hands of Government troops.<sup>3</sup> This attempt failed.

The second attempt by the Churches at mediation came in 1971, after the meeting of the Central Committee of the World Council of Churches in Addis Ababa in January. At this meeting, the Committee was pressured to consider extending its aid to Southern Sudanese refugees inside the Sudan. After the meeting, a

1. The Hard Road to Peace..., op. cit., pp.6-7.

2. In 1962, the Minister of the Interior announced the expulsion of all Christian missionaries in the Southern Sudan. At the time there were 617. Beshir, Background to Conflict, p.81.

3. The Hard Road to Peace..., p.7.



contact was made with the Sudan Ambassador to Ethiopia. Following this, the WCC/AACC were invited to send a goodwill mission to Khartoum. The mission was to seek the Sudan Government's opinion on three issues: a) what their offer of 'autonomy' to the South consisted of; b) the possibility of reconciliation with the SSLM; and c) how to channel aid to the Southern Sudanese inside the country.<sup>1</sup>

The mission went to Khartoum and on 15 May, 1971, there was a meeting between the representatives of the Sudan Government, the Sudan Council of Churches and the WCC/AACC delegates. Those representing the Sudan Government were the Acting Minister of Foreign Affairs, Major Hashemi Abulgasim, the Minister of Works, Mr. Abel Alier, and the Minister of Local Government, Dr. Gaafar Mohammed Ali Bakheit. A serious discussion ensued, and at the end six points were agreed upon:

- "a) that the Government was in favour of delegates making direct contacts with representatives from the South with a view to establishing direct contact for talks on reconciliation;
- b) groups to be represented were those who had influence on people in the South and among the refugees;
- c) that talks could take place anywhere;
- d) that the Government would agree to a 'cooling off period' if there was no danger to peace and security;
- e) that details of the Regional Autonomy within the Sudan would be discussed; and
- f) that under whose auspices the talks would take place, would be dealt with later."<sup>2</sup>

The mission left the Sudan and it drew up its own programme of action which consisted of three main points: a) that the AACC in co-operation with the group in Uganda should make contact with whatever groups were available in their area;

1. Pirouet, "The Achievement of Peace in Sudan", op. cit., p.124.

2. Ibid., p.126.



b) that the WCC attempted to contact all groups and individual Southern Sudanese, who were interested and could influence the situation; and c) that the General Secretary of the Sudan Council of Churches visited and contacted groups and individuals in Ethiopia.<sup>1</sup>

The WCC in Geneva contacted Messrs. de Garang and Wol Wol and requested them to find out the reaction of the SSLM to the Sudan's proposals. The two men gave a preliminary reply, which stated:

- "a) We welcome the use of your good offices in attempting to establish direct contacts between the representatives of the Sudan Government and South Sudan with a view to holding talks on negotiations;
- b)... As a result of the prevailing unity among the Anya-Nya and the Southerners outside control of the Sudan Government the only competent and organized body you can contact, and which will eventually nominate the delegates to the proposed talks, is the Southern Sudan Liberation Movement. We would also like to point out that those under control of Khartoum, share the same view with regard to the Southern case... it will... be a gesture of goodwill on the part of the Sudan Government to allow some of the Southern Sudanese under their control to leave the country to join us in the negotiations...
- c) The willingness expressed by the Sudan Government that the proposed talks can take place anywhere is both acceptable and appreciated. We ourselves propose either the headquarters of the O.A.U. at Addis Ababa or the Zambian capital, Lusaka. Choice shall be made jointly by both sides;
- d) The conditional proposal made by the Sudan Government that they 'agree to a cooling off period' taking place if there is no danger to security, should be clarified. The main purpose of a 'cooling-off' period is to remove the danger to security on both sides... we propose a definite cease-fire instead of a 'cooling-off' period. The terms of a cease-fire could be worked out during the pre-negotiation talk;

1. Pirouet, op. cit., pp.126-127.



- "e) Discussion of the 'details of Regional Autonomy within one Sudan' as a proposal of the Sudan Government for solving the 'Southern Problem' is welcome. Since the main issue is to find a lasting mutually acceptable solution to the Southern Problem, we feel the Sudan Government's offer of the Regional Autonomy is a good starting point for discussion of other problems. The question will be whether the extent of the substance and the spirit of Regional Autonomy shall satisfy and guarantee the particular interest of the South as well as the interest of the Sudan as a whole;
- f) We agree that the question of under whose auspices the talks are to be held should be left until a later date. However, when that time comes, the choice shall be made jointly by both sides."<sup>1</sup>

Following this reply the two men travelled to Africa and their mission was to:

- "a) find the reaction of the SSLM leadership to the position stated by Khartoum Government;  
b) find out a list of Southerners whom the SSLM and Anya-Nya leaders would want to be involved in any negotiations;  
c) get the letters of credance stating who Colonel (now Major General) Joseph Lagu would authorize to be his official contact with WCC/AACC."<sup>2</sup>

The two-man delegation actually travelled to Africa and visited Southern Sudan, in August 1971. They also went to Uganda, the Congo (K), Kenya and Ethiopia. During the visit, the delegates contacted and discussed with the following persons:

- |            |                                |                |
|------------|--------------------------------|----------------|
| a) Sudan:  | 1) Major General Joseph Lagu - | Equatoria      |
|            | 2) Elsapana Mula -             | Equatoria      |
| b) Uganda: | 1) Angelo Voga -               | Equatoria      |
|            | 2) Barrie A. Wanji -           | Bahr el Ghazal |
|            | 3) Elia D. Arop -              | Bahr el Ghazal |

1. Pirouet, op. cit., p.127.

2. Internal Report on Messrs. de Garang and Wol Wol Mission to Africa, Geneva, August 30, 1971, p.1.



- |              |  |                         |
|--------------|--|-------------------------|
| c) Congo (K) | 1) Gordon M. Mayen -   | Bahr el Ghazal          |
|              | 2) Francis M. Akon -   | Bahr el Ghazal          |
|              | 3) Agolong C. Agolong -                                      | Bahr el Ghazal          |
| d) Kenya:    | A group of about 25 University and Secondary School Students |                         |
| e) Ethiopia: | 1) Job Adier -   | Upper Nile              |
|              | 2) David Koak -  | Upper Nile              |
|              | 3) Jeremiah Reth -   | Upper Nile              |
|              | 4) Denis Akuoc -   | Upper Nile              |
|              | 5) Enoch Mayom -   | Upper Nile <sup>1</sup> |

In their discussion with Major-General Joseph Lagu, the major opinion was that Southern Sudanese should accept negotiations with Khartoum Government because this would: (1) forestall Khartoum's diplomatic offensive; (ii) avoid being isolated in the eyes of the world; (iii) find a lasting peace in the Sudan if the Khartoum authorities were sincere and serious about a negotiated settlement of the conflict.

According to Lagu, the sincerity and seriousness of the Khartoum Government could be shown if (a) it stopped hostilities during this period of negotiations; (b) it agreed to withdraw its forces from the Southern villages and (c) the solution could be guaranteed by the O.A.U. and the U.N.<sup>2</sup> General Lagu added that although the Southern people and Anya-Nya had the determination to continue the war, it was a generally accepted fact that a war could not be fought indefinitely. He stated that the Southern people had an equal duty to seek an equitable solution at a negotiating table.

In regard to the proposal to seek a solution within the framework of one Sudan and on the basis of Regional Autonomy, General Lagu stated that the South should not fear to negotiate

1. Internal Report, op. cit., pp.1-2.

2. Ibid., pp.2-3.



settlement that would guarantee the rights and privileges of its own inhabitants within one Sudan. However, he warned that the South reserved the right to resort to fighting should it be proved that Khartoum was not serious about finding a permanent settlement.<sup>1</sup>

Those contacted in Ethiopia, Uganda and Kenya agreed with the General, but rejected regional autonomy as the basis for negotiations.<sup>2</sup> The Congo (Zaire) based group, whose leading figure was Gordon Mortat, once 'President' of the Nile Provisional Government, rejected the idea of negotiations completely. In their opinion, this was another trick designed to distract and divide Southerners in their struggle. It was also, in their view, designed to isolate the Southern resistance movement diplomatically. They suggested that both the Khartoum Government and the Southern resistance movement should declare their intention to enter negotiations without prior conditions, that is, Southerners should only reply positively to the first part of the Government's stated view on the dialogue, leaving aside the question whether the negotiations might end up in a compromise solution. They were not happy with the way Messrs. de Garang and Wol Wol were chosen to go around to meet Southerners separately. They wanted a meeting of equal representatives from the three Southern provinces to draw up strategy, and that Southerners should not enter negotiations until the Anya-Nya were well organized and strong.<sup>3</sup>

1. Internal Report, op. cit., pp.2-3.

2. The Ethiopian group gave five conditions as reasons why the negotiations should take place: (i) the present vulnerable position of the South made compromise solution a realistic approach; (ii) without open and committed support from independent African States, the South did not stand a foreseeable military victory; (iii) if a confederal, or even federal, system had been initially established in the Sudan, the South might have not found the necessity to revolt against the unity of the country; (iv) the African-South should prove to the world her good intentions to stay with the Arab-North provided her rights and privileges are guaranteed; (v) this might prove a suitable alternative to the present sufferings of the Southern people.

3. Internal Report on Messrs. de Garang and Wol Wol, op. cit., p.3.



It seems that most people contacted were in favour of negotiated settlement, but not on the basis of regional autonomy as proposed by the Khartoum Government. They were also in favour of negotiations taking place outside the Sudan, under a neutral body.

Meanwhile in the Sudan, two major studies of the autonomy proposal were undertaken: one by the Advisory Committee on Southern Affairs and the other by Dr. Gaafar Mohammed Ali Bakheit, Minister of Local Government. These two studies proposed the powers of the region; its legislative and executive; and whether the three Southern provinces would form one region or three. The studies also proposed the economic powers of the region; the content and extent of Southern cultures; their preservation and development; and where the headquarters of the region should be.<sup>1</sup>

In the light of these studies, a group of leading Southern intellectuals, students, workers, women and youth in Khartoum appealed to the Southern public and the Anya-Nya, in 1971. The appeal stated that they had accepted the principle of regional autonomy as a solution to the Southern problem. They referred to both studies and added that "our desire and request has always been social justice, recognition of dignity of citizens from the South, their right to develop their cultures as important part of the general Sudanese culture and heritage, the right to run their local affairs and opportunity to participate in planning and the running of the affairs of the country in all departments of the State including the army and foreign affairs".<sup>2</sup> The appeal pointed to the steps taken to give the Southerners the privilege of running their local affairs; the need to develop the South; and the call by Numeiri to bring peace to the South, arguing that there were responsible and sin-

1. For details see Appendices II and III.

2. Appeal to the Southern Public and Rebel Leaders, signed by Southern intellectuals, students, workers, women and Youth Union, dated 1.12.1971.



cere Southerners. The appeal added that Numeiri had moved quickly to appoint three citizens from the South as Commissioners of the three Southern Provinces, to show that he was serious about the solution to the Southern problem. The appeal ended with the following words:

"We therefore call upon you all to join hands with us in endorsing the principle of regional autonomy and the framework and details now worked out with our full participation and our affirmation of the need for the unity of our country. We call upon you to abandon violence and bloodshed so that we all exert effort to reconstruct and develop the South and participate fully in the development of a united and prosperous Sudan."<sup>1</sup>

The justification for this appeal is that, from 1969 until the time this appeal was made, thirty-one Southerners were appointed to senior posts in the Government Service.<sup>2</sup> These included appointments in the foreign service, the police, prisons, administration and management. Prior to 1969, some Ministries were not taking Southerners, like Foreign Affairs, Defence and Interior, but after 1969 they started to appoint Southerners as shown below:

"(i) Foreign Affairs: a) one Ambassador; b) one Minister; c) one Counsellor; d) seven Third Secretaries (as compared to two only before 1969).

(ii) Ministry of Defence: Over 20 officer cadets were taken by the Military College and many Southerners were recruited into the army as soldiers. Accelerated promotions were made to them and this resulted in four Southerners being promoted to the ranks of Colonels.

(iii) Ministry of Interior: There were three Southerners in the ranks of Commandants and two of them were transferred to the South as heads of their units."<sup>3</sup>

1. Appeal to the Southern..., op. cit.

2. Survey by Office of Southern Affairs, op. cit., Khartoum, December 1971.

3. Ibid.



The number of Southerners grew also in the educational institutions at all levels and at a faster rate. 20% of all places in all schools and institutes were reserved for Southern Sudanese. 30% of the places in the Forest Rangers College were also reserved for them. The number of boys and girls in the primary schools grew from 2960 in 1956, to 31834 in 1964. In May, 1969, there were 28,821 in primary schools. In May 1970, this number grew to 46,113.<sup>1</sup> It was planned to establish 40 more schools in the five year educational plan (22% of the total planned for the whole country).<sup>2</sup>

There were also improvements in the medical and health services. The number of beds in hospitals increased from 1797 in 1956, to 2642 in 1970/71. There were 114 dressing stations in 1970/71 compared to 191 in 1956. There were, however, only 80 dispensaries in 1970/71 compared to 120 in 1956.<sup>3</sup> The decrease in the number of dressing centres and dispensaries was due to the fact that they were mainly located outside the towns where the Anya-Nya were operating. The number of medical doctors and specialists in 1970/71 was 69. 61 Assistant Medical Officers, 65 Sanitary Overseers, 198 midwives and 1088 nurses worked in the South during the same period.<sup>4</sup>

The moves inside and outside the country to bring together the Anya-Nya and the Sudan Government materialized in November, 1971, when the SSLM and the Sudan Government delegates met in Addis Ababa to explore the possibility of a negotiated settlement.

1. The Democratic Republic of the Sudan, Relief and Resettlement Conference on Southern Region (Khartoum, 1972), p.10; the decrease in the number of the stations was due to the war.

2. Ibid.

3. Ibid.

4. Ibid.

## The Negotiations

In October, WCC/AACC was able to make another visit to Khartoum and conveyed to the Government the findings of the two-man committee. This resulted in agreement that preliminary talks should take place in Addis Ababa on the 9th of November. Before this date, the SSLM was considering what type of federation or autonomy might gain acceptance among Southerners and have a hope of proving acceptable to the Sudan Government as well. Their advisers were asked to draw up two plans,<sup>1</sup> one for a federation made up of four Constituent States, and a two-state plan. The SSLM was aware that the four-state plan would not be acceptable, but they would put that forward first, and then withdraw to the two-state plan. However, these documents were not ready by the time the preliminary talks began and were not discussed.

On the 9th, twelve people arrived in Addis Ababa to take part in the meetings. Representing the Sudan Government were Abel Alier and General Mohammed el Baghir Ahmed, Minister of Interior. They had with them as observers, Philip Obang from the Sudan Embassy in London and Paul Acrie from Khartoum, both Southerners. The SSLM was represented by four delegates, who were selected on a broad base group: Mading de Garang from London, Wol Wol from France, Job Adier from Ethiopia, and El-sapana Mulla, who attended as General Lagu's special representative. The WCC was represented by two, the AACC by one, and the Sudan Council of Churches was represented by one man.

The delegates assembled at 3 p.m. on the 9th and, when the meeting was declared open, the SSLM asked the Church members to leave the Conference room, because they did not want Rev. Canon Burgess Carr of AACC to chair the meeting as requested

1. For details of these two models see Appendix IV.



by the Sudan delegates. Other observers were asked, too, to leave the room and this reduced the number to seven, three from the Government side and four from the SSLM.<sup>1</sup>

In the opening speech, the SSLM delegate gave five points as what motivated them to attend the Conference.

"First, war had never been for anybody a satisfactory form of solution in itself. If anything, it was a prelude to peaceful settlement.

Second, even if military victory were to be considered as a solution, the time it might take and the degree of loss that it implied, could bring more disadvantages than benefits. Who could then ignore that fact in the 10 years military struggle in the South?

Third, the events that had taken place in the North and in the Government could not be ignored. Not only had the face, generation and the capacity of the leadership changed during this period, but a new socio-political structure had been achieved in the North which made this attempt at negotiation important.

Fourth, a certain amount of goodwill had been shown by the new leadership in Khartoum. The SSLM felt satisfied that not only had the government accepted the principle of a negotiated settlement, but also to be witnessed by Africa and the rest of the world. If that demonstration of the desire to find a solution to the Conflict could be given the place it deserved, then a confrontation of views would seem an appropriate procedure.

Fifth, the SSLM could not remain indifferent to the commendable efforts by the WCC/AACC to get the South and North on to talking terms. The SSLM was acting in the interest of peace and progress for the inhabitants of the two regions."<sup>2</sup>

The speech stressed that the basis for peace in the Sudan

1. Confidential Report on Informal Meeting Held on 9th to 10th November, 1971, at Addis Ababa, between the Representatives of the Sudan Government, the Representatives of the Southern Sudan Liberation Movement (SSLM) and the Church delegation as initiators, p.2.

2. Southern Sudan Liberation Movement, Speech Delivered by E.M. de Garang at the Preliminary Meeting between the SSLM and the Sudan Government, Addis Ababa, Ethiopia, 9th November, 1971, pp.2-3.



should be the co-existence and cooperation between the South and North. However, it warned that Southerners, who had collaborated with Khartoum Governments, should not be given a chance to negotiate with them, because this would give the impression that the problem was between Southerners and not between the South and North.

The SSLM spokesman who delivered the speech, concluded that

"it is my responsibility to declare to this meeting, the willingness of the SSLM, the Anya-Nya and all Southern nationalists to enter negotiations with the North to find a peaceful and equitable solution to the Southern problem. I also convey to Khartoum delegation the assurance of our President , Major General Joseph Lagu, to consider with great concern all proposals arising out of this meeting."<sup>1</sup>

The meeting was not an easy one and more than once, deadlock was reached. Twice the Church representatives and other observers were called in, and the Church representatives found themselves in a mediating position. Specifically, the SSLM did not want Abel Alier, a Southerner, to represent the Khartoum Government in these talks. A far more serious difficulty arose over the statement by Khartoum representatives that negotiations should take place within the framework of one Sudan. The SSLM argued that there was no unity in the Sudan and that it had yet to be achieved. The talks almost broke down on this issue, but the Sudan delegate agreed to modify that phrase. There was also a problem over the term "regional autonomy". The SSLM pressed for federation and no agreement was reached. However, it was agreed that formal negotiations should begin about 10th January, and several places were suggested as possible venues, including Uganda, Ethiopia and Zaire. The Government's programme in respect to the details, methods and conditions designed to safeguard and ensure the special interests

1. SSLM, Speech Delivered by E.M. de Garang..., op. cit., p.4.



of the South was communicated to the SSLM delegation for their perusal, study and response. The most important points included:

- "a) Full amnesty is given to all who have in one way or another participated in rebellion and full amnesty includes physical security and freedom from responsibility for any life lost and property destroyed, looted, robbed by any leader or member of rebellion.
- b) Returnees will be guaranteed jobs even in sensitive positions including army, police and political appointments if they prove eligible.
- c) Full participation in political, economic and social activity in the country both at the national and regional level is guaranteed to leaders of rebellion and politicians in exile.
- d) Returnees will be resettled in their original homes and agricultural and economic projects will be provided for the economic and social welfare of the Souther Sudanese.
- e) General rehabilitation of those who have been displaced as a result of rebellion is guaranteed.
- f) The government shall arrange a system of compensation to those who lost their properties so as to avoid conflict and disputes between those who are returning from exile and the bush on the one hand and those who are at home."<sup>1</sup>

Both delegations reported back to their superiors, and on November Joseph Lagu nominated the team that he wished to take part in the next round of talks. Nine men were nominated, representing various shades of SSLM opinion, and they were told to meet together for briefing and discussion early in December. The list was later modified, and eight men chosen, including de Garang and Wol Wol, and the group elected its own Chairman and Secretary.<sup>2</sup>

1. The SSLM Documents, Addis Ababa, Ethiopia, 1971.

2. The Southern Sudan Liberation Movement leader, Major General Joseph Lagu, in a letter dated 8th February, 1972, authorized the following members of the SSLM to represent the South Sudan in the peace talks with Khartoum Authorities:

- (1) Mr. Ezboni Mondiri Gwonga Leader of the delegation.
- (2) Col. F. Brian Maggot, Deputy Leader and Special Representative.
- (3) Mr. E.M. de Garang, Official Spokesman.

(cont'd)



## The Second Addis Ababa Talks

During the preliminary discussions in November, it was agreed that

- "a) there was mutual desire and need for peace in the Sudan;
- b) there was lack of confidence on both sides (North and South), but recognized the need for all Sudanese citizens to make every effort at restoring mutual confidence;
- c) there was ground to start negotiations for a solution without going into history for justification;
- d) the SSLM would accept the principle of ONE SUDAN if the details, methods, and conditions designed to safeguard and ensure the special interests of the South could be reached through a negotiated settlement.<sup>1</sup>

In February 1972, the parties met in Addis for the second time. The following was the context of the meeting:

- "1) to find a form of solution that would safeguard and ensure the special interests of the South;
- 2) to examine further general conditions relating to the implementation of that solution;
- 3) to examine conditions by which that solution could be guaranteed;
- 4) that agreement of all points should be by unanimity."<sup>2</sup>

The conference opened without a chairman because the Emperor of Ethiopia, who was supposed to chair it, declined on the advice of his government that, if he did so and the Southern Sudanese were granted a significant autonomous status, the people of Eritrea might think they would be granted a similar status, and the Ethiopian Government had no intention of grant-

(Cont'd): (4) Dr. Lawrence Wol Wol, Secretary.

(5) Rev. Paul Pout Chan, member.

(6) Mr. Job Adier de Jok, member.

(7) Mr. Gordon M. Mayen, member.

(8) Mr. Angelo Voga Morjan, member.

(9) Mr. Oliver Batali Albino, member.

(10) Mr. Anania Loful Ruba,

Administrative Assistant member.

It is important to note Mr. Gordon M. Mayen declined to join the delegation because he stated earlier that this was an Arab imposition of a solution upon the South.

1. SSLM, Recommendations relating to rules of procedure, February 15, 1972.

2. Ibid.



ing this.<sup>1</sup> So the Emperor stayed in the background and his Foreign Minister welcomed the delegates. This resulted in the problem of who was to chair the meeting; however, Canon Carr of the All African Conference of Churches was made a moderator of the discussions.

Not until the close of the Conference's second day (17/2/1972), was mention made of the more contentious differences which the conferees would have to address, e.g. matters concerning the composition of the Legislature, the status of the Judiciary and language policy in the region.<sup>2</sup>

Substantive negotiations began on the third day of the Conference. Major differences between the two sides on basic issues then came up. The SSLM presented a proposal at Thursday's first session, aiming at political change that was national in scope and the dismantling of the unitary system of government in the Sudan. They proposed the establishment of a federal system of government, and they offered the Government the option of a four-region or a two-region form of federation.<sup>3</sup>

The two region federation was to have:

- "a) reasonable representation from each region in a federal legislative;
- b) a clearly defined separation of powers between the regional and federal government, i.e. certain matters should be within the Executive jurisdiction of the federal authorities and others exclusively within the jurisdiction of the regional authorities;
- c) constitutional safeguards to protect the rights and interests of individual citizens and of minority groups;

1. Pirouet, op. cit., p.135.

2. In their opening speech the SSLM stated difficulties that must be overcome in order to reach a peaceful solution which included (a) what sort of solution the conference was seeking; and (b) how could the rights and interests of the South Sudan be protected within the framework of one Sudan?

3. Appendix IV.

"d) an agreed time scale for the implementation of the constitution once its form has been agreed."<sup>1</sup>

The Sudan Government submission, in contrast to the SSLM proposal, was a document called "a Draft Law to organize Regional Self-Government in the Southern Provinces of the Democratic Republic of the Sudan".<sup>2</sup> The Northern proposal offered devolution to the South, through the creation of regional Legislature and executive branches of government. It made no provision for the separate Southern judiciary, as did the SSLM draft, and it reserved certain powers as the prerogative of the Government in Khartoum, which it referred to as the "Central Government" rather than the "Federal Government". Other major differences, which the draft proposals made clear, were: "a) the territorial delimitation of the Southern region; b) the official language to be used in the South; and c) executive authority (the powers of the President) in the region".<sup>3</sup>

For a while, it was thought the talks would fail. The Southern delegation showed aggressiveness in its determination to prevent an outcome which had any resemblance, however vague, to the "settlements" which had been reached in the past. Ezboni M. Gwonza, the leader of the SSLM delegation, let it be known that the time had at last arrived, when the Northerners had to come to grips with Southern demands for Federation.<sup>4</sup> They could no longer postpone or deflect the issue. Southerners

1. SSLM Speech, February 15, 1972, p.7.

2. Appendix V.

3. Ibid.

4. Minutes of the Conference on the Southern Sudan held in Addis Ababa 16/2/1972 - 28/2/1972 Between the Representatives of the Government of the Democratic Republic of the Sudan and the Southern Sudan Liberation Movement; quoted in James Emile Sulton Jr., Regional Autonomy in the Southern Sudan: A Study in Conflict Regulation, Ph.D. Thesis, the John Hopkins University, 1980 (U.S.A.), p.162.



wanted an explicit commitment to federation and they found alternative arrangements unacceptable, because, according to Oliver Albino, one of the SSLM delegates "... the Central Government had always been identical with the Northern Government".<sup>1</sup> There could be no equity without federation. Lawrence Wol Wol, Secretary of the SSLM delegation, called it fallacious to speak of political change with special powers, which the Northern delegation wanted to reserve for the Central Government.<sup>2</sup> In his opinion, the South would have never been free of Northern domination under such circumstances.

Abel Alier stated his belief that the Conference should be focusing its attention on empowering the South so as to enable people to safeguard and protect their own interests, rather than on reducing the powers of the Central Government. At the same time, other Northern delegates mentioned decentralization measures that had already been put into effect, e.g. the 1971 People's Local Government Act, which increased power at the local level. Clearly, the North was not willing to accept the concept of federation and moreover, they did not feel that the South had the right to demand federation for the nation as a whole; the other regions of the country could speak for themselves.<sup>3</sup> Thus, the federation issue was difficult and generated heated debate at the outset.

The SSLM delegation came out against the Sudan Government's proposals on the fourth day of the Conference. Gwonga summarized his delegation's criticism of the Northern document in three main points:

- "1) It gives too much power to the President of the Sudan over regional affairs;
- 2) It makes the executive of the South a puppet government (sic).

1. Sulton, op. cit., p.162.

2. Ibid., p.163.

3. Ibid.

"3) It makes the South nothing but a colony."<sup>1</sup>

The Northern delegation reacted defensively. They argued that the document they had proposed did not define a colonial relationship at all. Rather, it contained sufficient guarantees for the region; that the President of the Republic was not dominating the region but only acting in a capacity befitting any Head of State; that the Arabic language was already widely known and spoken in the South; and that no territory should be annexed or excised from the region without reference to the inhabitants of the region concerned. The talks were seriously threatened by these disagreements. Neither side was prepared to compromise and both maintained their respective positions on these issues.<sup>2</sup>

The moderator acted in an attempt to break the deadlock by suggesting that the Conference break up into committees. Three committees were formed: namely, political, economic and security committees, with delegates from both sides as members.

The two main committees were the political committee and the security committee. The former dealt with issues such as autonomy-federation; executive authority in the South; and the role of the regional Legislature. The latter handled military matters. At Friday's second session, the political committee reported that its work was proceeding well, but the security committee had some problems. These centred on the question of the national army, its composition and its presence in the South.<sup>3</sup> The SSLM proposed three armies in the nation, i.e., one for the North, another for the South and the third controlled exclusively by the Central Government. The Northern delegation viewed this proposal as a guarantee of national disintegration

1. Sulton, op. cit., p.164.

2. Ibid.

3. Ibid., p.165.



and insisted on a single army for the country. Southern delegates expressed their fear that without its own army, there could be no security for the South. Northerners replied that that fear and distrust were mutual and could only be overcome through cooperation.<sup>1</sup> A separate army for the South was not indicative of this spirit. All agreed to let the security committee continue to work on the problem and the Friday session adjourned.

The political committee reached an agreement and presented its proposals at the Saturday session. The Conference as a whole approved the political section of the agreement and the problem of the army continued to bedevil the delegates. Southerners suspected that the Government wanted a unified army so that there would be no opportunity for another armed uprising in the future and the South could be made to accept its will. Northerners continued to fear that Southerners were attempting to keep the option open for a rebellion in the future, should they become dissatisfied with the peace agreement.<sup>2</sup>

After it had been agreed that there would only be one national army in the Sudan, the next problem became what proportion of the national army would be stationed in the South and what would be its composition? The Conferees agreed that 12,000 soldiers would comprise the "Southern Command" of the national armed forces. However, there was disagreement over the distribution of soldiers. Southerners protested that the Southern Command, as proposed, would consist of 9,000 Northerners and only 3,000 Southerners. That three to one ratio was purely and simply unacceptable to them. The delegates had reached another deadlock over this question. The Conferees then decided that it was necessary to seek the Emperor's counsel and advice.<sup>3</sup>

1. Sulton, op. cit., p.166.

2. Ibid.

3. Ibid., p.167.



Haile Selassie suggested that the Southern Command be divided equally between Northerners and Southerners. Delegates continued to disagree over composition and the size of the national army unit in the South. Finally, on February 25, they agreed to a 12,000 man force, to be known as the Southern Command, consisting of 6,000 Northern and 6,000 Southern soldiers.<sup>1</sup> The parity arrangement for the military was incorporated as article 8 of the Addis Ababa Agreement on the Problem of the Southern Sudan. The rest of the Conference went smoothly.

The peace agreement was initialed by representatives from both sides on February 27, 1972. On March 3, President Nimeiri promulgated the Regional Self-Government Act, thus conferring autonomy on the Southern Sudan. Joseph Lagu and President Nimeiri ratified the agreement by signing it on March 18, in Addis Ababa. This ended the Civil War and established a devolved system of government. The question at this junction is: what were the contents of the agreement and why was it reached in 1972, and not in 1965?

### The Contents of the Agreement<sup>2</sup>

The Addis Ababa Agreement provided a Regional Devolution for the Southern Provinces within the Republic of the Sudan.<sup>3</sup>

The division of functions between the Central and Regional Governments are described in Chapters IV and V of the Addis Ababa Agreement. Article 7 defines the functions which are exclusively a preserve of the national government, and are therefore outside the jurisdiction of both the People's Regional Assembly and the High Executive Council.<sup>4</sup> On the other hand,

1. Sulton, op. cit., p.167.

2. More details of the Agreement are discussed in Chapter V.

3. All references here are to The Addis Ababa Agreement on the Problem of the Southern Sudan.

4. See Chapter 4, Art.7 of the Draft Organic Law to Organize Regional Self-Government in the Southern Provinces of the Democratic Republic of the Sudan.(Khartoum, 1976).



Article 11 specifies the functions granted to the Southern region: "The People's Regional Assembly shall legislate for the preservation of public order, internal security, efficient administration and the development of the Southern Region in cultural, economic and social fields..." In the same Article 11, twenty areas which reflect regional value preferences are rendered to the South, but, although legislative authority has been granted to the region in a number of important areas, such as education, police, traditional law and custom, regional legislation is supposed to conform with national plans.<sup>1</sup>

With regard to the division of political power, the existence of the regional government is guaranteed in the Organic Law and it cannot be unilaterally altered by the Central Government:

"This law shall be issued as an organic law which cannot be amended except by a three-quarters majority in referendum held in the three Southern Provinces of the Sudan."<sup>2</sup>

The Addis Ababa Agreement provides the Regional Government with sources of tax revenue so as to establish its own financial autonomy to a degree sufficient to maintain its existence.<sup>3</sup>

The Regional President and members of the H.E.C. are answerable to two authorities: the national President and the People's Regional Assembly. The powers of the People's Regional Assembly are to some extent balanced by the national President's retention of veto powers over regional legislation, and also by his authority to appoint both the members and President of the H.E.C. In the case of the latter, he is appointed on the recommendation of the national President. The structure of the H.E.C. is to reflect the devolved matters.

1. Draft Organic Law..., op. cit., Art.11, Sec.ii, iii, xi.

2. Ibid., Art.2.

3. Ibid., Art.25, Chap.8.

The agreement stipulated that there should be a Southern Command of an army to be composed of twelve thousand officers and men, half of whom would originate in the South, and the other half of whom would come from elsewhere in the Sudan. Most of the troops from the South were expected to be drawn from the former Anya-Nya Army. There was, however, a provision that there should be integration between the two halves; that is, each unit of Southern soldiers would receive elements from the old Sudan Government forces in the form of an officer to act as second in command, and various technical and administrative personnel.

On the whole, the Addis Ababa Agreement is the most advanced form of devolution in which the powers have been transferred to the region, to determine policy on a selected range of subjects, to enact legislation, to give effect to that policy and to provide the administrative machinery for its execution, while reserving to the Central Legislature the ultimate power to legislate for the region on all matters. This form of devolution is known as legislative devolution and represented by the Government of Ireland Act 1920.

### Factors Underlying the Success of the Negotiations

Why did the Sudan Government, after a period of bitter conflict in which it had invested considerable resources, change its policy and agree to terminate the war in 1972? Many factors have been mentioned, but the following stand out clearly.<sup>1</sup>

First, both parties in the war realized that neither side could win nor lose the war: they had reached a military stalemate. The Sudanese Government troops controlled the towns in the

1. Most of these factors are mentioned in the following works: Mohamed Omer Beshir, The Southern Sudan: From Conflict to Peace (London, 1975), pp.129-131; Dunstan M. Wai, The African-Arab Conflict in the Sudan (New York, 1981), pp.162-165. Each author has given various reasons in addition to those we have stated.



South, while the Anya-Nya Army was in effective control of the countryside, making the former's movements between the towns extremely difficult. Both the Sudan Government and the SSLM realized that a military victory for either side was not possible and were able to accept the fact that they could not continue in that situation indefinitely.

Second, the war was a drain on the increasingly meagre financial and political resources of the Sudan Government. As long as the war continued, any regime in power would be perpetually vulnerable. Although there was a general approval in the North for the war against the South, the constant increase in the death toll among the Northern Sudanese soldiers serving in the South, gradually generated anti-government feeling for its failure to defeat the Anya-Nya Army. The instability of Governments in Khartoum made it difficult for the Sudan to attract foreign investments and borrow funds from international financial institutions, such as the World Bank. The Numeiri regime came to realize that the enormous amount of borrowed money spent on sustaining the war, could be used beneficially in social and economic development, to which it was committed. A solution ought, therefore, to be found to end the war.

Third, the policy of regional autonomy for the South, stated in the June 9, 1969, declaration by President Numeiri found support among Southern Sudanese elites within the Sudan. Although some of them had reservations about the policy of regional autonomy, they reasoned that it should be given a fair chance. Hence, they called for a comprehensive definition of the institutional and power relationship between the Central Government and the Southern Region. They were united under the "Association of Southern Intellectuals", and maintained a reconciliatory attitude with the regime, even though it showed some indecisiveness on implementing its Southern policy. When Abel Alier became the Minister for Southern Affairs, the Association of the Southern Intellectuals gave him full support and its leaders

helped him, both to define the nature of regional autonomy for the South, and to convince Southerners in exile at large.

Fourth, the abortive coup d'etat of July, 1971, and the dramatic return to power of Numeiri, led him to pursue negotiations with the Anya-Nya. At home he became more convinced than before, that he must reach an accommodation with the South to avoid further weakening of his position.

Fifth, there was the increasing disruption of the East Africa region and the dilemma it posed for the O.A.U. states, as well as the fear of big power involvement in the problem.

Sixth, the relative unity of the SSLM under a military man, for the first time gave the South one real authority, who could conclude an agreement on its behalf.

Seventh, the agreement was reached under the authority of two military leaders with equal backgrounds. Both controlled the power for violent acts. In the North at the time of the agreement, expressing one's criticism of the new deal, meant exposing oneself to the regime. In short, the attitude of the people was that of "wait and see", and if anything went wrong with the agreement, the first people to defend it would be Numeiri, Lagu and Alier.



## CHAPTER IV

### THE IMPLEMENTATION OF THE DEVOLUTIONARY SOLUTION: INSTITUTIONAL ARRANGEMENTS AND THE FIRST REGIONAL ELECTIONS

#### Introduction:

This chapter discusses the steps taken, and trends set, in implementing the devolutionary solution of the Addis Agreement. It also analyses the first elections to the newly-created Regional Assembly, and indicates that these brought into renewed prominence the factional and sectional politics, which had characterised Southern politics since 1948.

Subsequent chapters cover the working, after 1973, of the new devolved institutions and the course of both internal Southern politics and of its relationship with Central Government and the Northern-dominated political system.

To implement the Agreement, Presidential Order No.40 was issued. According to this decree, a Provisional High Executive Council (P.H.E.C) was established, pending the election of the People's Regional Assembly (P.R.A.) within 18 months. The composition of the PHEC reflected a device to achieve representation on province of origin and by tribal group. Also represented were both the exile politicians ('outsiders'), and those who remained in the South during the Civil War ('insiders').<sup>1</sup>

1. The division of the Southerners into insiders and outsiders is used by Nelson Kasfir, when he writes: "an insider is a politician or person who chose to stay in an area controlled by the Sudan Government during the war or study abroad with the intention of accepting an official post afterward. An outsider is a politician/person who chose to join a secessionist organisation inside the country or to ... (cont'd)

There was some consideration of former political affiliation in selecting members. These factors are shown below:

<u>Name</u>	<u>Position<sup>1</sup></u>	<u>Province</u>	<u>Tribe</u>	<u>Outsider/ Insider</u>
Abel Alier	President	Upper Nile	Dinka	Insider
Hilary P. Logali	Finance	Equatoria	Bari	Insider
Mading de Garang	Information	Upper Nile	Dinka	Outsider
Ezboni Mondiri	Communications	Equatoria	Moru	Outsider
Gamma Hassan	Agriculture	Equatoria	Madi	Outsider
Dr. Toby Maduot	Health	Bahr el Ghazal	Dinka	Insider
Elia Lupe	Public Service	Equatoria	Kakwa	Outsider
Joseph H. Oduho	Housing	Equatoria	Latuko	Outsider
Michael Tawil	Rural Development	Equatoria	Mundu	Outsider
Michael Wal Duany	Cabinet Affairs	Upper Nile	Nuer	Outsider
Samuel Aru Bol	Administration	Bahr el Ghazal	Dinka	Insider
Luigi Adwok	Education	Upper Nile	Shilluk	Insider

Messrs. Alier, Logali and Adwok were formerly members of the Southern Front; Oduho, Mondiri and Lupe were veteran Southern Sudanese political exiles; Mading de Garang was at one time a Southern Front member and, later, SSLM representative in Europe, based in London; Tawil was with the Anya-Nya; Samuel Aru and Toby Maduot were former members of SANU-William Deng wing. Neither Gamma Hassan, nor Michael Wal Duany were linked with the old Southern parties, the former being an employee of an Italian multinational Corporation, and the latter

Cont'd: ... stay in exile in a neighbouring country, or to study abroad without intending to accept employment in the Sudan Government..." African Affairs, Vol.76, No.303 (April 1977), p.158.

1. The full names of the Ministries during the PHEC period were Finance, Planning and Natural Resources; Information, Culture and Tourism; Communications and Transport; Agriculture and Animal Production; Health; Public Service and Labour; Housing and Public Utilities; Rural Development and Cooperatives; Cabinet Affairs; Regional Administration, Police and Prisons; and Education.



having been a student studying in the U.S.A. This government was established pending the election of the PRA within the provisional period.

The first 18 months of the PHEC were devoted to transitional arrangements, notably the regrouping of the Anya-Nya, selection and the training of 6,000 of them for the absorption into the Sudanese Army. The process of selection and absorption was made by a Technical Military Commission, made up of the Anya-Nya and the Sudanese Army officers. The same process was made for the absorption into the police and prison forces, whereby 742 officers, non-commissioned officers (N.C.O.s) and men were absorbed into the prison forces, and 3,555 officers, N.C.O.s and men into the police forces.<sup>1</sup> All the absorbed forces were given six months of training in various provincial training centres in the Region.

The second task to run concurrently with the absorption and training, was rehabilitation of the remaining Anya-Nya in their villages of origin. Where some were previously employed in the Public Service, their re-employment was undertaken. Those, who could not get jobs, were employed on roads and in the department of Forestry in the Ministry of Agriculture, as workers.

Meanwhile, a considerable number of refugees, who left their jobs in the public sector during the war, were returned to their jobs, or similar ones. In this way, over 973 classified staff were re-absorbed into the Regional Public Service, involving a recurrent annual cost of £S.457,310.<sup>2</sup> Other refugees, who worked as administrators in the Anya-Nya organization were recruited into the Regional Administration as village officers and the rest into senior administrative positions. 63 of them were

1. The Democratic Republic of the Sudan, Ministry of Information and Culture, Peace and Development in the Southern Region (Khartoum, 1976), p.4.

2. Ibid., p.5.



recruited and were given short courses in Administration.<sup>1</sup>

The third task of the PHEC was the repatriation and rehabilitation of the refugees and those who had fled to the bush during the war. This task involved the movement of about a million people, of which one third were outside the Sudan. The process also involved finding schools and accommodation in the then existing schools for the refugees' children. The Government was able to provide 30 Primary, 14 Junior and one Senior Secondary Schools.<sup>2</sup>

The agency, which carried out this task, was known as Repatriation, Resettlement and Rehabilitation Commission (R.R.R.C.). The peace settlement of February 28, 1972, made provision for the establishment of a Special Commission for Repatriation and Resettlement in the South. President Numeiri via decree no.43, established a Special Fund to help meet the expenses of resettling the refugees.<sup>3</sup> Peter Gatkuoth, a former member of the Southern Front Party, headed the Fund and performed the function of channelling Central Government aid and grants to the South, as part of the relief effort. A seven member Board of Trustees administered the Special Fund, again with Peter Gatkuoth serving as its Director-General.<sup>4</sup> Decrees Nos.44 and 45 established the Repatriation and Resettlement and Rehabilitation Commissions respectively.<sup>5</sup> Decree No.45 also provided for the establishment of sub-committees in and outside the Sudan, for conducting work on behalf of the Commission. Clement Mboro was appointed Chairman and Supervisor of both Commissions.

1. Peace and Development, op. cit., p.6.

2. Ibid., p.7.

3. The Nile Mirror, Issue No.76, March 16, 1972, pp.5-8.

4. Peace and Progress 1972-1973, A Report of the Provisional High Executive Council, Regional Ministry of Culture and Information, March 3, 1973, p.3.

5. Final Report of Relief, Resettlement and Repatriation Commission Activities, May 1972 to April 1974, p.3.



Later on, both Commissions were made into one. The RRRC coordinated its activities with those of international voluntary agencies, which were contributing relief to the South. The Commission had its headquarters in Khartoum, and this office was responsible for purchasing and transportation of items to the South. It had another office at Juba, which had three main functions: registration of refugees; catering; and transportation of refugees to their respective homes. This office, too, had its auxilliary branches in Zaire, Uganda, the Central African Republic and Ethiopia, as well as in the various provinces of the Southern Region and many of their districts. These branches functioned as registering and catering centres for refugees, as well as working in coordination with the United Nations High Commission for Refugees and other agencies.

During the transitional period, the Commission rivalled the PHEC itself in its administrative diversity and multiple functions. It had independent sources of funds, both foreign exchange and local currency. It worked on its own with international assistance organizations and volunteer development agencies, and employed a sizable staff of Southern workers in productive pursuits.<sup>1</sup> The Commission made significant contributions in the areas of education, health services and construction. The RRRC supplied aid, in cash and in kind, to all the various Ministries within the Provisional Government. For example, it gave the Ministry of Education blankets, powdered milk and maize; the Ministry of Cooperation and Rural Development received pangas, axes, and slashers; while dried fish went to the Ministry of Health, etc.<sup>2</sup> The Commission budget was a supplement to the budget of the Provisional Government.

Because it brought goods and services to people in the more remote areas of the South, as well as in the towns, the RRRC had high visibility. Its Chairman, Clement Mboro, was tremend-

1. Final Report of Relief..., op. cit., p.17.

2. Ibid., pp.49-72.

ously popular in the South. This fame became clear when he polled 11,776 votes in the elections.<sup>1</sup> However, the most important task of this Government was to run the elections within this short period, which occurred in 1973.

### The 1973 Elections

Towards the middle of November, 1973, Southern citizens went to the polls to elect fifty-seven members of the first Regional Assembly.<sup>2</sup> Article four of the protocols on interim agreements states:

"the President shall, in consultation with the Interim High Executive Council, determine the date for election to the People's Regional Assembly, and the Interim High Executive shall make arrangements for setting up of this Assembly."<sup>3</sup>

In August 1973, the President of the Republic decreed that elections for the People's Assemblies in the Region and Centre were to be held in November 1973, for the first Assembly, and February 1974, for the second. It is not clear why he set two different dates for these elections; but, in the case of the South, the mandate of the Interim High Executive Council was running out and, thus, November was the right time for the elections in the South.

To ensure that work started immediately, the President appointed a five-man Ministerial Commission to make rules and regulations for these elections.<sup>4</sup>

1. Most of the information on the 1973 elections is based on my M.A. thesis: The People's Regional Assembly Elections of November 1973 (University of Khartoum, 1975).

2. Ditto.

3. The Addis Ababa Agreement on the Problem of South Sudan; Protocols on Interim Agreement, Chapter I, p.29.

4. The Ministers were: Michael Wal; Mading de Garang; Joseph Oduho; Hilary Logali; and Ezboni Mondiri. These ministers contested the elections and three were (cont'd)



## The Election Rules

The Regional People's Assembly Election Rules were issued on the 5th of September, 1973. Four points may be observed. The first is the principle of the secret ballot, which led to the use of symbols in all constituencies, with the exception of Intellectuals and National Capitalists, where most voters know how to read and write. The second is the absence of a requirement that a deposit be paid by candidates - in elections up to 1968, this fee was paid, but in the 1972 elections held under the military regime, it was removed.<sup>1</sup> The third, is the insistence that a person contesting any of the popular and functional organization constituencies should be a member of the popular or functional organization in whose constituency he was standing. This was not the case in 1968 elections. The fourth is the principle of universal suffrage in the territorial constituencies and what looks like college elections in other constituencies.

## Lay-out and Definition of the Constituencies

In the last elections of 1968, before the 1969 coup, the South as a whole was allotted 60 territorial constituencies. Bahr el Ghazal had 22, Equatoria 21, and Upper Nile 19.<sup>2</sup> This distribution was based on the 1956 Census data. These seats in 1973 were divided into two main categories (called the territorial and non-territorial constituencies). The 30 territorial constituencies were allocated as follows: Bahr el Ghazal 11; Equatoria 10; and Upper Nile 9; non-territorial seats - 21 for the alliance of working forces of the people, distributed equally among the workers, Youths, women, farmers, armed forces, intellect-

Cont'd: ...elected. When the High Executive Council was formed in 1974, these elected members were appointed Ministers.

1. Amendment Number 2 of the Regional Assembly Election Rules 1973, states: "...it is now ruled by the Elections Supervision Commission that no deposit shall be paid by a candidate standing for elections in any constituency". The assumption was to attract many supporters to the newly-created institutions.

2. See the chart on page 123.



uals, and national capitalists unions (i.e. 3 seats each), and 3 seats for each of the three Southern provinces administrative units of the local governments.

The constituencies for the alliance of the working forces of people and local government administrative units arose from the circumstances of the 1969 coup. In order to consolidate the alliance, which had supported Numeiri's coming to power, a single political party, the Sudanese Socialist Union (S.S.U.) was created in 1970, while at the same time, the organizations representing the component social groups of the alliance were strengthened, reformed or created, and youths and women's organizations set up. These bodies, and those representing workers, intellectuals and national capitalists, became subordinate wings of the S.S.U. The non-territorial constituencies were intended to provide them with direct representation in the Assembly and the system was extended to the South in an effort to integrate Southerners into the Northern system of post-coup politics.

### Definition of the Constituencies

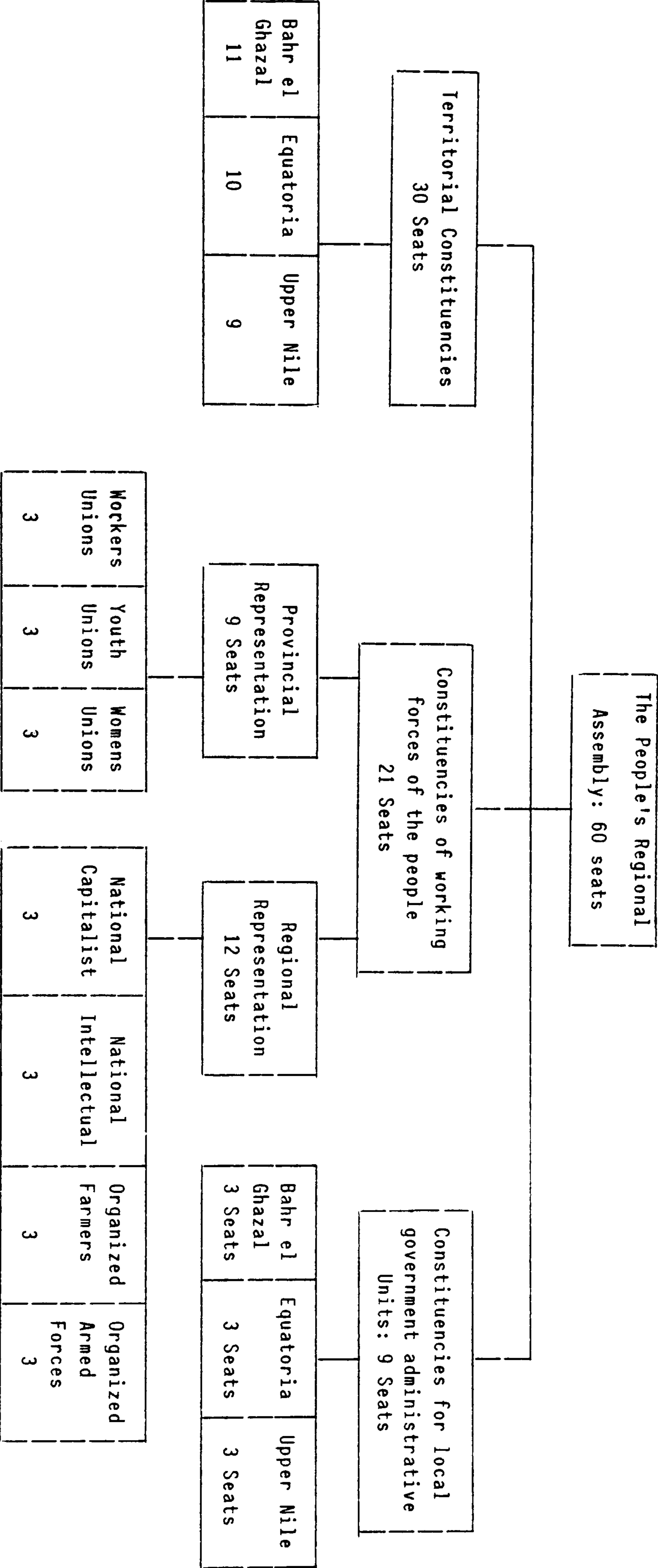
The Election Rules define a territorial, or Geographical, Constituency as a constituency which comprises part of a province - for example, Tonj Territorial Constituency No.1. A Provincial Popular Organization Constituency, according to these Rules, means a constituency of those belonging to the given social category and living in an area, whose boundaries coincide with the boundaries of the province, e.g. Workers Constituency of Equatoria Province. A Regional Popular Organization Constituency, means a constituency of those belonging to the given social category within the whole Southern Region; e.g. the National Intellectual Constituency. Finally, an Administrative Units Constituency, means a constituency made up of members of popular councils of local government in the relevant province.<sup>1</sup>

1. The Democratic Republic of the Sudan, The People's Regional Assembly's Elections Rules Act 1973 (Khartoum, 1973), pp.2-3.



CHART IV:1

DISTRIBUTION OF SIXTY SEATS OF THE PEOPLE'S REGIONAL ASSEMBLY IN 1973



Source: The People's Regional Assembly Elections of November 1973, (1975), p.16.

### Qualification of Voters

Section 11(3) of the Regional Assembly Rules states that a person is qualified for registration on the electoral roll for any constituency, if he is: (a) Sudanese; (b) of eighteen years of age on the date of closing the registration on the electoral roll; (c) of sound mind; (d) enjoying political rights; (e) has been resident in the constituency for a period not less than three months before the closing of the electoral roll, provided that this condition shall not apply to persons returning to their homes from neighbouring countries, where they had taken refuge during the period of unrest in the Southern Region.<sup>1</sup> The additional condition in the non-territorial constituencies was that a person was qualified to register and vote, if he was a member of a recognized organization, e.g. agricultural union, Youth union, etc.

### Qualification of Candidates

A person was qualified to stand as a candidate in a territorial constituency, if he was Sudanese; of twenty-one years of age; of sound mind; literate; enjoying political rights; and not previously convicted of an offence connected with honour, morals or security of the state.<sup>2</sup>

In all constituencies of the popular organizations, a Candidate had, in addition, to be a member of the popular organization in the constituency in which his name was submitted. A candidate contesting the election, was to resign if he was an employee in either the public, or the private, sector. The reason was to guard against those, who would use their positions in the government or private sector for election purposes. The nomination for any candidate had to be accepted by the Sudanese

1. Arou, The People's Regional Assembly Elections, op. cit., p.18.

2. The Elections Rules, op. cit., rule 28(2), p.9.



Socialist Union. It was assumed that all the candidates were members of the S.S.U. and, therefore, that the S.S.U. had the right to reject any candidate. There was actually no candidate rejected by the S.S.U. on any ground.

### Registration and Nomination

The original period fixed for registration of voters was from 10th September to the 5th of October (i.e. 26 days), but this was extended to the 25th of October, to enable a better registration at that time of the year, when the rains were still falling and motor transport was difficult in the rural areas.

The registration of voters in the territorial constituencies was 945,439 or 34% of the total population.<sup>1</sup> On a provincial basis, the registration was as follows:

Bahr el Ghazal	40% registered;
Equatoria	30% registered; and
Upper Nile	31%.

The overall low registration in the territorial constituencies could be explained by the following factors: Firstly, there was general apathy of the rural population in the Southern Region, about the value of elections in regard to their daily activities, which affected registration and turn-out at the polls. Secondly, the sparse settlement of the rural population in the South made it difficult for the registration officers to reach every village to register people, especially as there were (and still are) few all-weather roads in the South. Thirdly, the rural population was affected greatly by the Civil War. At the time of registration, many of them were still returning to the country from the neighbouring countries, which made accurate registration impossible. Fourthly, in October and November, the rural population is generally engaged in the harvesting of crops and has no time for such things as registration. Fifthly, in Equatoria,

1. Arou, op. cit., pp.20-22.

most people were reluctant to register, because they pointed out that they had been registered many times. They referred to the failed population census of April 1972 and the S.S.U. registration for membership in 1973. They were still suspicious that the Government wanted to know their numbers. Some refused to register, because they did not know who the candidates were. Sixthly, the period of registration was too short (i.e. 26 days only). Finally, it may well be the case that the population estimates for the Southern constituencies (devised from the 1956 Census, which was not wholly accurate in some areas of the South) were too high, providing an artificially low registration percentage.

Registration in non-territorial constituencies were much lower, due to the same reasons given above.

### Candidates and Issues

The final list of the contestants was 338 candidates. 185 contested the territorial constituencies, and the rest, non-territorial constituencies.<sup>1</sup> There was no election in the constituency of the armed forces, the members were being appointed.

During the elections campaign, candidates were free to address political rallies. But they tended to put forward a fairly uniform set of views, at least in their manifestos.

The points, which were most emphasized, may be summarised as follows:

(a) Support for May Revolution: The Southern Region was to enter a new significant phase in its constitutional and political relationship with the North. In many candidates' opinion, this relationship could not become a reality if the May Revolution

1. Arou, op. cit., p.25.



was allowed to be threatened by internal and external enemies. In the light of this, the candidates promised to work with other groups to strengthen the Revolution.

Similarly, the candidates campaigned for the elimination of the influence of former political parties in the Region, so that the Sudanese Socialist Union would become firmly established and bring about political stability and unity of purpose in the Region. This was to be done through mobilization of the masses of the people in the Region.

(b) Realization of a Strong and Revolutionary Regional Government: In many candidates' judgement, the Regional Government should create a deep respect for authority in the minds of the Southern citizens, if it were to exercise effective control over the Region. In the light of the useful experience the Region had gained, the candidates were to co-operate with other representatives, inside and outside the Region, for the creation of a strong Regional Government, which should run the South on revolutionary principles.

(c) Strong and Efficient Provincial Administration: The candidates wanted men imbued with a high sense of duty, devotion and personal integrity as Provincial Commissioners. This they thought, could create a viable economy and efficient provincial administration.

(d) Radical Reforms in the Regional Civil Service: The major task of the Regional Government was to realize the economic, social and political development of the Southern Region. The candidates were to urge the Regional Government to introduce radical reforms into the Regional Civil Service. They demanded that appointment to the professional seats and high positions of responsibility in the Civil Service, should depend more on merit and ability rather than on mere long-service records.



(e) A Well-Organized System of Education in the Region: The system of education, which the South had inherited from its previous rulers (British and Northerners), was unrealistic and disorganized. The candidates were to campaign for the re-introduction of the main Regional vernacular languages into the curriculum of the primary schools, to ensure the preservation of African cultures. These languages were to be taught by those teachers, who could not cope with the teaching of Arabic language.

(f) Medical Care: Many hospitals and dispensaries in the Region had no funds for their maintenance, because the Ministry of Health could not possibly provide the necessary funds. In the light of this fact, each candidate was to urge the local people to use the self-help method to repair their medical institutions, so that their health services could be sufficiently provided.

(g) Labour Policy: Before the election campaign, every province in the Region was faced with alarming deficits. The major cause came from random labour policies. Policies regarding the profitable utilization of labour in the Region had not been properly defined and targeted. Large numbers of workers, notably former Anya-Nya fighters, had been absorbed into Government development projects, despite lack of skills, which reduced both productivity and efficiency, while the money paid out in salaries rose. The candidates pledged to work with other groups to remedy this situation.

(h) Agricultural Objectives: The candidates were to urge agricultural authorities to introduce mechanized and scientific farming into the Regional agricultural system, together with the creation of credit facilities for Southern farmers, equivalent to those enjoyed by their Northern counterparts. The candidates were, too, to exert effort for the development of the forestry reserves, through the establishment of modern saw-mills for the



utilization of timber.

(i) Animal Production Policy: Animals constitute the biggest resource of the Region, but little attention was given to their preservation, development and improvement. The candidates were to work for the introduction of commercial ranches on a public and private basis. They were to work, too, for the creation and development of more animal reserves, where the wildlife abounds, as well as the promotion of a Regional Tourist industry to earn the Region hard currency.

(j) Fisheries: The Southern Region commands three-quarters of the Sudan's rivers and lakes, which abound with fish. These reserves were not adequately utilized to meet the Region's economic needs. The candidates were to work for the establishment of fishing industries on a large commercial and co-operative basis.

(k) National Unity: The national unity, which the candidates campaigned on, was based on "the sound democratic solution of the Southern Problem", in the form of regional self-government to the South and in the framework of the integrated Sudan, to weed out social, economic and cultural backwardness in compensation for the long suffering the Southern people went through. In short, they campaigned on "unity in diversity".

#### Administration of the Election

The election's administration was in the hands of the Election Technical Commission and Election Supervisors in each province. The common problem faced by these bodies during the election was that of poor communication between headquarters and the election officers in the districts and constituencies, and between the field officers and the inhabitants of their constituencies.

Generally speaking, the lines of communications from Juba to the provincial capitals, and from there to the individual districts, were opened. Messages arrived and were despatched at a reasonable speed, since each constituency had a designated centre, at which the presiding officer could be contacted. The main problem was to transport necessary materials for registration and polling.

Far greater difficulty existed in communications between officials in rural areas and the inhabitants thereof. This was crucial at three distinct stages: initially, when the news about the fact of elections and its meaning was to be spread, then at registration time, and finally on the polling date.

The relevance of communications to our concern is clear: unless all sectors of the population were informed of their right to vote and of the necessary steps in this process, the elections could not be described as fair. This principle made it particularly important that people living in remote areas, like the Murle in Pibor district and Tapotha in Kapota district, should not be deprived of their franchise because of geographic difficulties, in order to avoid over-representation of the settled, urbanized population.

The alternatives were two-fold: either the fact of election and the necessary steps, such as registration of eligible voters, inspection of registration lists, etc., could be publicized as much as was feasible, and then the burden was on the individual to make the necessary efforts to comply with the regulations; or the Commission could instruct its officials to contact potential voters throughout the constituencies, sparing neither time or effort in doing so. As far as possible, the second course was followed, but much reliance had to be placed on publications alone, reducing both registration and turnout.

The overall turnout in the territorial constituencies was as



follows: Bahr el Ghazal, 39%; Equatoria, 59%; and Upper Nile, 38%.<sup>1</sup>

It is difficult to explain why the turnouts in those constituencies were very low, as the data was not one hundred percent reliable, but we can assume that difficult terrain and apathy might have reduced turnout as it had affected registration. The relative high turnout in Equatoria could be explained by low registration, as much as by greater enthusiasm for the election. The population in this province is relatively aware of political participation and this could be another explanation.

### The Successful Candidates

The question to raise at this junction is what led to the success of each candidate - various factors could be listed, but the following were the most important: (a) in each constituency the contestants were from the area and had local ties; (b) there was the element of long political activity. Some successful candidates were M.P.s of the 1958 National Assembly or leading members of S.A.N.U., the various Southern Governments in exile, the Southern Front or S.A.N.U.-inside. Few, however, were ex-Anya-Nya members; (c) there was the question of the ability of the candidate to bring to the area Social Services, especially in the case of those, who were working for R.R.R.C. and those holding Ministerial positions in P.H.E.C.; (d) there was the question of sex. Female candidates did not contest in these constituencies, because of the attitude of the males in each constituency, about the ability of the woman representing a constituency dominated by males, politically, if not numerically. Thus, the three women elected to the Assembly were entirely from the Women's Union constituencies; and (e) education did play some role if the candidate had the other qualifications stated above.

1. Arou, op. cit., pp.34, 46 and 55.

With these few facts in mind, let us examine a few constituencies in which these factors contributed to the success of the candidates.

### Bahr el Ghazal

1. Tonj Rural Council covers the whole of Tonj District, including Tonj town. The inhabitants are mainly Dinka Rek, who both own cattle and cultivate crops like dura and millet. Five candidates contested the constituency. They were "local boys", who had family ties in the constituency. By occupation, one was a Minister in the PHEC; one a research student; one a resettlement officer; one a school teacher; and the fifth was a clerk. The winner was Dr. Toby Maduot, who polled 34% of the votes, while his second and third rivals obtained 31% and 23% respectively.<sup>1</sup> The winner, as we have shown, was a Minister in the PHEC. He left his medical career to win Theit as a SANU-Deng candidate in 1968; and led the SANU Parliamentary bloc. Minister of State in the 1971 Numeiri Government, he was then Commissioner of Bahr el Ghazal, before he became the Minister of Health in PHEC. He was married to the late Victoria Yar, member of the PRA and the first Southern woman to graduate from the University of Khartoum. The factors which won him the seat could be summarized, then, as: a) his political activity since 1968; b) his medical occupation, because during the war he helped many people from the area; c) as a member of the PHEC, he had facilities like a car, etc. We can contrast this with his main rival, Alfred Wol, who was active in SANU's politics since 1965. Wol's SANU connections worked against him in this constituency, since he had formed his own faction, rivaling that of William Deng, in 1966 - and Tonj was largely dominated by Deng's supporters.

2. Gogrial East and West, consists of Omadias Apuk; Kuac and

1. Arou, op. cit., p.63.



Manal; Awan Rian and Wung. The people are Dinka. Nine candidates contested the constituency. Occupationally, one was a member of the S.S.U. Political Bureau; three were book-keepers; one an executive officer in the local government; one a resettlement officer; one a School Director; one a teacher; and one a foreman of roads.

The winner was Dr. Lawrence Wol Wol, who obtained 29% of the votes, while his second and third rivals obtained 19% and 17% respectively.<sup>1</sup> Dr. Lawrence Wol was heavily involved in the exile politics from his days as a post-graduate student at Makerere; he was a member of the Round Table Conference delegates, and edited first the Voice of the Southern Sudan, and then the Voice of the Nile Republic; representative of S.S.L.M. in France; Secretary to Addis Ababa talks; and Central Government Minister (1972-1973). There is no doubt that all these factors won him the constituency.

3. Wau-Raga Rural Council, is inhabited by various ethnic groups, the major ones being Kresh, Balanda, Feroge and Ndogo. There is a large community of Dinka in Wau town. Ten candidates contested the constituency. By occupation, one was the Commissioner of the R.R.R.C.; one a clerk of the Law Court; one a Director of Cooperative Societies; one a General Service Officer; one a school teacher; one a laboratory assistant; one a Branch Secretary of the S.S.U.; one a Cooperative Officer; one a Magazine Editor; and one a Commandant of Police. By ethnic groups, one was a Ndogo; two Jurs; two Balandas; two Ferogeis one a Banda; one a Dinka; and one of mixed origin.

The winner was Clement Mboro, who was Southern Front President 1965-1969. Before that he had been at the Juba Conference of 1947, after which he was active in the Administration, being

1. Arou, op. cit., p.69.

the most senior Southerner in it, and rising to Assistant Commissioner in 1964, when he first renewed politics overtly (he had helped to promote Liberal Party in 1955, which led to his suspension). Between 1966 and 1969, he held Ministerial posts and from 1972 was Commissioner for R.R.R.C.; in between he was imprisoned. Clement Mboro obtained 44.5% of votes, while his two main rivals obtained 14% and 10% respectively.<sup>1</sup> Mboro won because: a) large Ndogo vote; b) patronage; and c) long political experience.

4. Rumbek West is made up of Omodias Ayiel, Pathiong, Pagok, Wat, Akony, Payar, Amoth Nhom, Monytijk, Dor, Yom, Awan, Akok, Ajiek, Boor and Joth. The people are Agar and Gok Dinka.

Three candidates contested the constituency. Two were Agar and the third a Gok. By occupation, one was a resettlement officer; one a Bank clerk; and one an Accountant. The winner was the resettlement officer, who obtained 54% of votes, while his main rival obtained 26% of votes.<sup>2</sup> Two factors could explain why Apollo Madok won. First, the Agar might have voted for their two sons, while Gok votes went to the winner. Second, the winner was connected with the resettlement and might have provided services to the constituency.

5. Yirol Rural Council. This consists of the whole Yirol District and Yirol town. The people are Dinka, divided into Aliab, Ciec and Atuot Dinka. Eleven candidates contested the constituency. By occupation, two were executive officers in the local government; four were teachers; one a Church Secretary; one a small trader; one an Enlightenment Officer; one a Fisheries Officer; and one a clerk. By sections, two were Aliab; four Ciec and five Atuot.

1. Arou, op. cit., p.82.

2. Ibid., p.92.



The winner was Alfred Abiar Wol, an Aliab Dinka and a former Anya-Nya officer, who was made an executive officer in the local government after the Agreement. He obtained 24% of the votes, while his two main rivals obtained 17% and 11% respectively. The second was Ciec and the third Atuot and, as we have shown, sectional voting might have played a great role, as there were only two Aliabs. The winner being ex-Anya-Nya might have contributed to his success.

### Equatoria Province

1. Torit North and East. The constituency is a combination of two of the 1968 constituencies. The major group is the Latuko, with minor representation of Lango and Lopit. The people are subsistence agriculturalists.

Five persons contested the constituency. By occupation, one was a PHEC Minister; two school teachers; one an Inspector of Public Health; and one an Assistant Executive Officer. By ethnic groups, three were Latuko; one a Lango; and the fifth, Lopit.

Joseph Oduho won the constituency with 34% of votes cast, while his two main rivals received 30% and 21%.<sup>1</sup> Oduho is a long-standing Southern political leader. He was a schoolteacher when elected to the 1958 Parliament. A leading 'Federalist', he fled in 1960 and became first President of SANU in 1964. He was President of ALF 1965-1967, and Minister of Education in PHEC 1972-1973.

Oduho is a Latuko, the majority ethnic group of the area, but stood against two other Latuko. A split vote was largely avoided by Oduho's record in Southern politics, and his position as Minister in charge of an important spending department in the

1. Arou, op. cit., p.122.

Provisional HEC.

2. Juba Territorial Constituency consists of the whole Juba rural council. It was a combination of former Juba East and West constituencies. The major ethnic groups are Bari and Lokoya.

Four candidates contested. One was a Regional Minister of Finance; a member of the first University group from Rumbek in 1952. He became an administrator and then a Minister in 1965-1969 period; Southern Front Secretary-General 1965-68, and its Vice-President in 1968; he was imprisoned 1969-1970, but upon his release, was made commissioner of Equatoria in 1971.

Opposing him were a set of candidates marked by two major disadvantages: none represented the majority ethnic group (the Bari) and none had experience in Southern politics - indeed two were Northerners. Logali obtained 59% of the votes cast; while his two main rivals got 36% and 3% respectively.<sup>1</sup>

### Upper Nile Province

1. Bor Rural Council. This is made up of the whole Bor rural council area, including Bor town. The people are Dinka and divided into five main sections. Five candidates contested the constituency, including the Regional Minister of Information and Culture; a Medical Assistant; a Deputy Director of Regional Administration; a Journalist; and two resettlement officers. The winner was Mading de Garang, PHEC Minister of Information, who edited Grass Curtain in London, while being S.S.L.M. emissary in the U.K. He was the S.S.L.M. spokesman at the Addis talks. He obtained 48% of the votes cast, while his two main rivals got 27% and 11% respectively.<sup>2</sup>

1. Arou, op. cit., p.152.

2. Ibid., p.195.



2. Akobo Rural Council. This is made up of the whole Akobo District, including the town itself. Three Nuers and two Anuaks contested the constituency. Occupationally, two were officers of resettlement; two teachers; and a farmer. The winner was Stephen Ciec Lam, who obtained 36% of the votes, while his two main rivals received 35% and 15% respectively.<sup>1</sup> Mr. Lam was an exile politician. His main opponent, Peter Gatkuoth, despite his position as Director of the Special Fund, which allocated International Aid intended for Southern rehabilitation, lost by a few votes. The explanation could be the long activity of the latter in Southern politics.

We may now summarize this portion for the territorial constituencies as a whole. The list on page 138 reflects the diversity of the Southern people and their representation in the Assembly. The Dinka became the single major group represented, with thirteen members - but they were not united as one people, and nine of the thirteen Dinka members were freshmen in Southern politics. Three were politicians and one Anya-Nya fighting man. Out of the thirty, nine only practised politics either in exile or inside the country, during the Civil War. The remaining twenty-one, therefore, were new recruits into the Southern political elite.

### Elections in Non-Territorial Constituencies

As we have stated earlier in this chapter, these constituencies were created in an effort to integrate Southerners into the Northern system of 'post-coup' politics. As a result, those who contested them were new in Southern politics.

The Workers Constituencies. In Bahr el Ghazal, eight workers contested the constituency. They were from various ethnic groups in the Province. The candidates addressed themselves

1. Arou, op. cit., p.209.

TABLE IV:1

SUCCESSFUL CANDIDATES IN THE TERRITORIAL CONSTITUENCIES

S/No	Name	Province of Origin	Ethnic Group	Occupation	Former Political Background: Outsider /Insider
1.	Dr. Toby Maduot Parek	Bahr el Ghazal	Dinka	P.H.E.C. Minister	SANU-Williams
2.	Dr. Lawrence Wol Wol	Bahr el Ghazal	Dinka	S.S.U. Political Bureau Member	Exile Politician
3.	Chan Malual Chan	Bahr el Ghazal	Dinka	Assistant Director Equatoria Trading Corp.	Insider
4.	Clement Mboro	Bahr el Ghazal	Ndogo	Commissioner R.R.R.C	Southern Front
5.	Malath Joseph Lueth	Bahr el Ghazal	Dinka	Assistant Inspector of Industry and Trade	Outsider
5.	Apollo Madok Chol	Bahr el Ghazal	Dinka	Resettlement Officer	Insider
7.	Alfred Abiar Wuol	Bahr el Ghazal	Dinka	Executive Officer	Anya-Nya
8.	Zakaria Ngor Ngor	Bahr el Ghazal	Dinka	Clerk	Insider
9.	Lawrence Lual Lual	Bahr el Ghazal	Dinka	Resettlement Officer	Insider
10.	Kawac Makwei	Bahr el Ghazal	Dinka	Merchant	Insider
11.	Benjamin Bol Akok	Bahr el Ghazal	Dinka	Assistant Inspector of Wildlife	Outsider
12.	Joseph Hawora Oduho	Equatoria	Latuko	P.H.E.C. Minister	Exile Politician
13.	Dr. Ignatius Gama Hassan	Equatoria	Madi	P.H.E.C. Minister	Outsider
14.	Dr. Angelo Labale Loiria	Equatoria	Tapotha	Lecturer University of Khartoum	Insider
15.	Louis Lotimoi Nyabanga	Equatoria	Didinga	Priest	Outsider
16.	Benjamin Basara Bambas	Equatoria	Zande	Official of the Ministry of Agriculture	Outsider
17.	Iaddeo Hiriyo Bidoi	Equatoria	Zande	Clerk	Outsider
18.	Hilary Paul Logali	Equatoria	Bari	P.H.E.C. Minister	Southern Front
19.	Eliaba James Surur	Equatoria	Fajulu	Deputy Director Ministry of Information	Outsider
20.	Michael Iawil	Equatoria	Mundu	P.H.E.C. Minister	Exile Politician
21.	Philip Angutua Arupaya	Equatoria	Avukaya	Ex-AnyaNya Lt. Colonel	Anya-Nya
22.	Thomas Kuma Kan	Upper Nile	Nuer	Resettlement Officer	Insider
23.	Zakaria Bol Chatim	Upper Nile	Nuer	Priest	Insider
24.	Joseph Nyok Abiel	Upper Nile	Dinka	Veterinary Assistant Officer	Outsider
25.	Mading de Garang	Upper Nile	Dinka	P.H.E.C. Minister	Exile Politician
26.	Joshu Dan Diu	Upper Nile	Dinka	Inspector of Youth	Insider
27.	Philip Pedak Lieth	Upper Nile	Nuer	S.S.U. Malakal Secretary	Exile Politician
28.	Stephen Ciec Lam	Upper Nile	Nuer	Special Fund Officer	Exile Politician
29.	Vincent Along Ajorial	Upper Nile	Shilluk	Priest	Insider
30.	Mohamed Abdu Rabu Khari	Upper Nile	Anuak	Clerk	Insider



to the problems of the workers in the Region. The winner, Enoch C. Nhial, a Dinka who obtained 17% of the votes cast.<sup>1</sup> He was a strong supporter of the Southern Front during the political parties period.

In Equatoria, ten workers contested the constituency. They were from various ethnic groups in the province. The issues raised here were similar to those raised in the Bahr el Ghazal constituency. The winner was a Kakwa. He obtained most of his votes from Yei district, where his people live. He got votes, too, in those districts where he had worked before, like Yambio and Torit.<sup>2</sup>

In Upper Nile, three workers only contested the constituency. By ethnic groups, they were two Shilluks and one Dinka. The issues raised were similar to those raised in the other workers constituencies. The winner was a Shilluk, who was elected because the registration and turnout of voters in Shilluk districts was good. The Dinka candidate failed because registration and turnout in Dinka districts was poor.<sup>3</sup>

### The Youth Constituencies

In Bahr el Ghazal, five candidates contested the constituency. By occupation, they were a schoolteacher; Assistant Executive Officer; clerk, Youth Officer; and a bookkeeper. By ethnic group, the candidates were a Kresh, two Dinkas and a Northern Sudanese. During the election campaign, they emphasized the importance of Youth participation in Regional and National politics and activities like sports. The winner was the Kresh schoolteacher. His winning is explained by the fact that most of the youths in Wau come from small ethnic groups around Wau, who took advantage of mission schools in the area during

1. Arou, op. cit., p.225.

2. Ibid., p.230.

3. Ibid., p.233.

colonial rule. By contrast, the young Dinkas started to go to these schools in the late 1950s and this made their numbers less in this category of society. The winner got most of his votes in Wau and Raga.<sup>1</sup>

In Equatoria, eight youths contested the constituency. They were from various ethnic groups in the province. The issues raised here were similar to those in the Bahr el Ghazal Youth Constituency. A Bari schoolteacher won the constituency. He obtained most of his votes from Juba town and Juba Rural Council, probably from the Bari youths.<sup>2</sup>

In Upper Nile, nine youths contested the constituency. They represented various ethnic groups in the province. The issues they raised were similar to those raised in the other two Youth Constituencies. The winner was a Northern Sudanese elementary schoolteacher who was born in the province, went to school there, and taught in different schools in the province. His winning is a good example of how long service in the area can help a candidate be elected to the Assembly.

### The Women's Constituencies

The elections in the three Women's Constituencies followed the pattern of elections in the other two organizations constituencies of Workers and Youths all over the Region. The issues raised in each Constituency emphasized participation, education and development of the women's associations in the Region. The Southern women are the least educated women in the Sudan and this was stressed by many candidates.<sup>3</sup>

1. In Wau he obtained 491 votes, and in Raga 112; his second rivals in these two areas obtained 133 votes in Wau and 23 in Raga. Arou, op. cit., p.238.

2. Ibid., p.242.

3. See L.M. Sanderson, "University Education for Sudanese Women in African Perspectives", Sudan Society, 3 (1964); and "Girls' Education in Northern Sudan (1898-1956)" in Brown and Hiskett (ed.), Conflict and Harmony in Education in Tropical Africa (London, 1975).



In Bahr el Ghazal, five women contested the constituency. The winner was a Dinka woman, the first Southern woman to graduate from the University of Khartoum. Upon graduation from the University, she joined the S.S.U. organization in the province, which gave her access to many voters, especially during her seasonal visits to district headquarters throughout the province. She was also married to Dr. Toby Maduot, the winner of Tonj Rural Council. All these factors helped her to win the constituency.

In Equatoria, four women contested. They were from different ethnic groups. The winner was a Bank Clerk in Juba and one of the few women, who was active in the Southern Front party during the political parties period. She, too, was connected to a leading member of the political elite, being the wife of the Director of the Ministry of Agriculture. All these factors combined might have contributed to her success.

In Upper Nile, four women again contested the constituency. They were from different ethnic groups in the province. The winner was a Dinka, who obtained most of her votes from Dinka districts.

#### Elections in the Regional and Local Government Constituencies

The elections in these Constituencies followed the pattern in the popular organization Constituencies. For example, in the farmers' constituency, ten candidates contested, and three succeeded. The three were from Upper Nile and mainly from Renk. Here there are relatively wealthy farmers, involved in Mechanized Agricultural Schemes, who - apart from their wealth - were better organized and more active than farmers elsewhere.

The National Capitalist Constituency was contested by 28 candidates. Sixteen were Northern Sudanese. Three Northerners were elected, one from each province. Their winning was because

the Northern Sudanese dominated trade in the South. They own large shops and are well known in their respective provinces.

The Intellectual Constituency was contested by seventeen candidates. The three winners were Director of Rumbek Senior Secondary School - Rumbek is the oldest school with the most graduates and prestige; Director of Youth, who had patronage of youth; and the author of Sudan: A Southern Viewpoint, who was well-known because of this book.

In the 9 Local Government Constituencies, a total of 32 candidates contested. The issues raised were about the improvement of the administration and local government in the Region.

The elected members in the Non-Territorial Constituencies are shown in Table IV:2 on page 143.

The Assembly, by occupation, was as follows: 33 Civil Servants and Teachers; 7 Ministers; 4 businessmen; 4 priests; 3 farmers; 3 traders; 3 workers; and 3 from the armed forces.

The First Sitting of the First People's Regional Assembly took place on December 15th, 1973. Its first task was the elections of the Speaker and the President of the H.E.C.

Two members were nominated for the Speaker's post, Oliver Batali Albino and Lubari Ramba Lokolo, respectively representing the outsiders and insiders. When the vote was taken, Lubari Ramba Lokolo (insider) won by 35 to 11 votes, with one abstention.<sup>1</sup>

For the Presidency of the H.E.C., President Nimeiri, acting in his capacity as the President of the S.S.U., nominated Abel Alier, which upset many members of the Assembly. No further nominations were made. But before the floor was closed, one member remarked, at that time:

1. Democratic Republic of the Sudan, People's Regional Assembly, Southern Region, Weekly Digest of Proceedings, no.1, December, 1973, p.2.



TABLE IV:2

SUCCESSFUL CANDIDATES IN NON-TERRITORIAL CONSTITUENCIES

<u>Constituency</u>	<u>Name of the Elected Member</u>	<u>Occupation</u>	<u>Ethnic Group</u>	<u>Political Affiliation: Insider/Insider</u>
Bahr el Ghazal Workers	Enoch C. Nhial	Fitter	Dinka	Insider
Equatoria Workers	Morris Lauya Ezekiel	Storekeeper	Kakwa	Outsider
Upper Nile Workers	Ibrahim Fadel Mu la J.	Foreman	Shilluk	Insider
Bahr el Ghazal Youth	Alberto Karama Adam	School Teacher	Kresh	Insider
Equatoria Youth	El Sadiq Faragalla	School Teacher	Bari	Insider
Upper Nile Youth	Ismail Rajab Khari	School Teacher	Northerner	Insider
Bahr el Ghazal Women	Victoria Yar Arol	S.S.U. Wau	Dinka	Insider
Equatoria Women	Mary Nura Bassiouni	Bank Clerk	Kakwa	Insider
Upper Nile Women	RacheilAyen William	School-Mistress	Dinka	Insider
Farmers & Village Development	Mohamed A. Mabruk	Farmer	Dinka	Insider
Farmers & Village Development	Hassan H.E. Safi	Farmer	Northerner	Insider
Farmers & Village Development	Idris F. Gaweesh	Farmer	Northerner	Insider
National Capitalist	Hassan M. Omar	Trader	Northerner	Insider
National Capitalist	Ibrahim A. Khalil	Trader	Northerner	Insider
National Capitalist	Mohamed O.E. el Amin	Trader	Northerner	Insider
Intellectuals	Tortisio A. Morgan	Director of School	Kresh	Insider
Intellectuals	Oliver B. Albino	Diplomat	Makaraka	Outsider
Intellectuals	Simon M. Didumo	Director of Youth	Anuak	Outsider
Members by Appointment:				
The Army	Peter L. Yoana	Army Officer	Acholi	Anya-Nya
The Police	Gabriel K. Ater	Police Officer	Dinka	Anya-Nya
The Prisons	Yepeta G. Bangoni	Prison Officer	Moru	Insider
B.G. Administrative Unit	Victor A. Iithuel	Inspector of Local Government	Jur	Insider
B.G. Administrative Unit	Simon Ngong Ayom	Deputy Commissioner & Executive Director	Dinka	Insider
B.G. Administrative Unit	William A. Deng	Lawyer	Dinka	Outsider
Equatoria Administrative Unit	Oliver Kpakpuyo	Resettlement Officer	Zande	Outsider
Equatoria Administrative Unit	Lubari R. Lokolo	Director of School	Kakwa	Insider
Equatoria Administrative Unit	Vitale A. Lomiluk	Store-Keeper	Latuko	Insider
Upper Nile Admin. Unit	Jonathan M. Leek	Resettlement Officer	Dinka	Insider
Upper Nile Admin. Unit	Francis Gai Majok	Cashier	Nuer	Insider
Upper Nile Admin. Unit	Joshua Akwaci Nyilek	Pastor	Shilluk	Insider

Source: Arou, op. cit., pp.335-339.



"In the interest of national and regional unity, no other candidate will be proposed as would have been the case. But we have the issue of the method used to suggest the nomination of the given candidate by the President of the Sudanese Socialist Union will be clarified by the Assembly at a later date."<sup>1</sup>

In other words, members did not like the manner in which Abel Alier was nominated by Numeiri, which they saw as Northern imposition. They wanted to choose the President themselves. This nomination created a political division within the Assembly, which amounted to Government and "opposition" groups.

Two weeks after his election and appointment, Abel Alier formed his Cabinet. Like the Provisional H.E.C., the new executive included members of various shades of opinion. They were: Abel Alier (President of the H.E.C); Hilary P. Logali (Finance and Planning); Mading de Garang (Co-operation and Rural Development); Ezboni Mondiri (Communications and Transport); Gamma Hassan (Agriculture, Animal Wealth and Forests); Dr. Toby Maduot (Culture, Information, Youth and Sports); Moses Chuol (Public Service and Administrative Reform); Joseph Oduho (Housing and Public Utilities); Dr. Lawrence Wol Wol (Trade, Industry and Supply); Natale O. Akolawin (Regional Administration, Police and Prison); Michael Tawil (Education); Dr. Justin Yac (Health); Lawrence Lual Lual (Cabinet Affairs).<sup>2</sup>

Aside from Alier and Logali, Messrs. Chuol, Akolawin, Yac and Lual, were formerly members of the Southern Front; Dr. Lawrence Wol was the S.S.L.M. representative in Paris. The Ministers, who lost in the elections, like Samuel Aru, Michael Duany, Elia Lupe, Luigi Adwok, were not given ministerial posts. The only exception was Ezboni Mondiri, but this was due to the fact that the elections in his constituency were to be

1. James Emile Sulton, Regional Autonomy in the Southern Sudan: A Study in Conflict Regulation (Unpublished Ph.D. thesis, The John Hopkins University, 1980), p.313.

2. Regional Ministry of Information, Culture, Youth and Sports, Southern Region, Peace and Progress 1973-1974 (Juba Government Printing Press, n.d.), pp.2-3.



re-run because of the alleged corruption. Thus, the trend set at the formation of the P.H.E.C., whereby each group was represented, was maintained, with slight over-representation of the Southern Front.

With the formation of the H.E.C. in 1974, the major part of the Addis Ababa Agreement was completed, and the Region was set to exercise the devolved functions within the National framework, which is the subject of the next chapter.

## CHAPTER V

### THE POWERS OF THE DEVOLVED INSTITUTIONS

Carol Craig in her essay on the powers of the Scottish Assembly and its Executive states that "we cannot understand how Scotland will be governed after devolution unless we know what an assembly and its executive are empowered to do".<sup>1</sup> It is equally true that we cannot understand how the Southern Region of the Sudan is governed after the Addis Ababa Agreement unless we understand what powers were devolved to the Regional People's Assembly and its Executive (known as the High Executive Council for the Southern Region).

This chapter will attempt to discuss the devolved powers to assess how limited they are and what problems have arisen as a result of this limitation.

#### Powers of the Regional People's Assembly

It is always difficult to indicate, in a devolved system of government, areas of each level of governmental activity, but the powers of the PRA are restricted by the Regional Self-Government Act (hereafter referred to as Act) to the keeping of public order and internal security, efficient administration, and the development of the Southern Region in cultural, economic and social fields. Thereafter, the Act enumerated the details in the following paragraphs:

"a) Promotion and utilization of Regional financial

1. Carol Craig, "The Powers of the Scottish Assembly and its Executive", in Donald I. MacKay (ed.), Scotland: The Framework for Change (Paul Harris Publishing, Edinburgh, 1979), p.26.



"resources for the development and administration of the Southern Region.

b) Organization of the Machinery for Regional and Local Administration.

c) Legislation on traditional law and custom within the framework of National Laws.

d) Establishment, maintenance and administration of prison and reformatory institutions.

e) Establishment, maintenance and administration of Public Schools at all levels in accordance with National Plans for education and economic and social development.

f) Promotion of Local Languages and Cultures.

g) Town and Village planning and the construction of roads in accordance with National Plans and programmes.

h) Promotion of trade; establishment of local industries and markets; issue of traders' licences and formation of cooperative societies.

i) Establishment, maintenance and administration of public hospitals.

j) Administration of environmental health services; maternity care; child welfare; supervision of markets; combating of epidemic diseases; training of medical assistants and rural midwives; establishment of health centres, dispensaries and dressing stations.

k) Promotion of animal health; control of epidemics and improvement of animal production and trade.

l) Promotion of tourism.

m) Establishment of zoological gardens; museums; organization of trade and cultural exhibitions.

n) Mining and quarrying, without prejudice to the rights of the Central Government on the discovery of natural gas and minerals.

o) Recruitment, organization and administration of the services of the police and prisons in accordance with national policies and levels.

p) Land use according to national laws and plans.

q) Control of pests and plant diseases.

r) Development, use and protection of forests, products and pastures according to national laws.

s) Development and promotion of Self-Help Schemes.

t) All other matters respecting which the President may authorize the People's Regional Assembly to legislate."<sup>1</sup>

Further provisions include the right to request the President

1. The Democratic Republic of the Sudan, The Southern Provinces Regional Self-Government Act, 1972 (Khartoum, 1972), Section 10.



of the Republic to remove the President and other members of the High Executive Council, if there is a 3/4 majority and to request reconsideration of the National Bills or Acts, which seem harmful to Southern interests.

### Limitation of powers and restrictions on freedom of actions

An easy target for any potential critic of the act is the division of powers. Section 6 of the Act prohibits the People's Regional Assembly (PRA) and High Executive Council (HEC) from legislating or exercising any powers on the following matters:

- "(i) National Defence.
- (ii) External Affairs.
- (iii) Currency and Coinage.
- (iv) Air and Inter-Regional River Transport.
- (v) Communications and Telecommunications.
- (vi) Customs and Foreign Trade except for border trade and certain commodities which the Regional Government may specify with the approval of the Central Government.
- (vii) Nationality and Immigration and Emigration.
- (viii) Planning for Economic and Social Development.
- (ix) Educational Planning.
- (x) Public Audit."

If you compare these reserved matters to those devolved to the Region, especially the sub-provision on planning for economic and social development, which covers all aspects of development, it seems that there was no need to mention educational planning. Maybe this was done for the sake of emphasis. However, the limitation and restriction on freedom of action on the devolved matters can be seen, if we considered that there are certain matters on which the Assembly or High Executive Council has to exercise power within the framework of National Laws, or according to National plans and policies. These include legislation on traditional Law and custom; establishment, maintenance and administration of Public Schools at all levels;

1. The Southern Provinces Regional Self-Government Act, op. cit., Section 6.



town and village planning and construction of roads; mining and quarrying; recruitment, organization and administration of services of the police and prisons; land use; and finally, development, use and protection of forests, products and pastures. From all these examples, it would seem that the devolution in the first place emphasizes the role of the PRA in preserving and promoting matters which are already planned for the Central Government, (e.g. the construction of roads).

The ambiguity between the Regional and devolved matters becomes clearer, when we look at specific matters like the Regional Six-Year Plan of economic and social development (1977), which falls within the National Plans.<sup>1</sup> This means that the legal boundaries between the Region and Centre are not clearly demarcated. For instance, at what level will the Region and Centre maintain harmony in planning, and at what level will they diverge? As an illustration, let us pose a few questions.

The Region is allowed to establish local industries and markets, but what is not clear is what sort of industries and markets may be established. Should they be like meat or fruit canning industries, which need foreign capital, or should they be confined to artisanal production? Similarly, the Region is allowed to mine and quarry without prejudice to the rights of the Central Government, but this is not clearly defined.

The problem of deciding responsibility for language policy and educational programmes is not clear because the region is empowered only to promote languages and cultures, while educat-

1. In its introduction the plan reads: "the six-year plan for the Southern Region forms an integral complementary part of National Six-Year Plan and will be implemented during the same time horizon. The integration of the two plans is based on the fact that Regional economy is a component of National economy and the objectives, strategy, policies and priorities of development for both are familiar, based on the development policy declarations of the Sudan Socialist Union. Furthermore, the Regional Plan will require extensive financing from the Central Government through subventions and contributions".



ional planning is a prerogative of the Central Government.

The Act is silent, furthermore, on the role of the S.S.U. in Southern politics; provisional orders; dissolution of the PRA; declaration of the state of emergency; etc. The Constitution of the Sudan gives the S.S.U. sovereignty and nomination of the President of the Republic, but not of the HEC. However, in the name of this organization, Abel Alier was nominated and became the President in 1973.

We can go on pointing out more areas, where the powers of the Region are limited, but we hope that these few examples show that the Act contains numerous potential sources of conflict. The question is how then did the Assembly legislate on the devolved matters and have there been some instances on which the Assembly failed to perform its functions?

### Function and Performance of the Assembly

The People's Regional Assembly, in addition to its legislative function, is supposed to represent the general Southern interest, and mediate between the Region and the Centre on policy matters.

Accordingly, the members of the first Assembly occupied themselves in passing resolutions and legislation intended to improve the social conditions, and to address the perceived political grievances of Southern citizens. They also exercised their right to hold the executive branch accountable for its actions. In the first regard, the Assembly dealt with issues like public education, improved services, language policy and other regional matters. In this aspect, the first Assembly, during its four years of work, passed four annual budgets; not less than 34 pieces of legislation, tabled by the executive, mainly in areas of finance, commerce, economics, civil service, labour, education, land, co-operation organization, and wildlife conservat-



ion.<sup>1</sup> Some of this legislation was complex, especially that on language policy, which also illustrates the limitations on the scope of action of devolved institutions.

The complexity of this legislation is due to the fact that the Regional Self-Government Act provides in Article 5:

"that Arabic shall be the official language for the Sudan and English the principal language for the Southern Region without prejudice to the use of any other language or languages which may serve a practical necessity or the efficient and expeditious discharge of executive and administrative functions of the Region."<sup>2</sup>

The educational situation in the Southern Sudan was that, when the schools were re-opened after the Southern uprising in 1955, some State Intermediate Schools started to operate on the Northern pattern of education, where Arabic became the medium of instruction, while English continued as a medium of instruction in Senior Secondary Schools and some Mission Intermediate Schools. During the Civil War those children, who remained inside the country, received their education in Arabic, but those who went into exile in the neighbouring countries, especially Uganda, Kenya and Ethiopia, were taught in English. After the Agreement, two types of schools operated in the region: one on an Arabic pattern and the other on the English pattern. This situation came to the notice of the Regional legislators and, as a result, Mr. Joshua Dau Diu of Zeraf Territorial Constituency moved in the Assembly in 1974, that the English language should be reintroduced as the medium of instruction in the educational institutions of the Region as from the 1974/75 academic year.<sup>3</sup> Mr. Diu argued that this motion was in line with

1. Abel Alier, An Address to the People's Regional Assembly (Juba, 14th December, 1977), p.2.

2. Southern Provinces Regional Self-Government Act, op. cit., pp.2-3.

3. Democratic Republic of the Sudan, Southern Region, People's Regional Assembly, Weekly Digest of Proceedings, no.8 (Khartoum, 1974), p.123.



the clause that English was the principal language for the South. He expressed fears that if this motion was not passed, then English would disappear and Arabic would become the principal language for the South. The advantage of the re-introduction of English, according to Mr. Diu was that it would provide jobs to those teachers of English, who were laid off when Arabic was introduced in Southern schools. He felt that Arabic was not a useful language, because Southern languages could not be transliterated into it, as was done during the colonial rule. He also pointed out that, as the South was oriented towards anglophone East Africa culturally, English would help the South in this respect.<sup>1</sup>

The Assembly was divided on this issue into those, who wanted immediate re-introduction of English, and those who wanted it to be gradually re-introduced.

The latter group was represented by the Minister of Education, who, in response to this motion, stated that his Ministry had already laid down a plan for the re-introduction of English in the Primary Schools on a gradual basis. Because, in his words, "we know it very well that we cannot suddenly make English as a medium of instruction without it being taught thoroughly as a subject".<sup>2</sup> The Minister added that his Ministry was considering, too, the re-introduction of vernaculars in most rural schools, which would delay the immediate re-introduction of English as a medium of instruction.

The opponents of the motion used the section of the Act, which states that educational planning falls within the National Plan

1. P.R.A., Weekly Digest..., op. cit., pp.137-9; the other reasons given in support of this motion were: that when English was used as the language of instruction in the South, the standard of education was superior and competitive; that for serious and scholarly studies, English was a better language than Arabic; and that Southern students who had studied abroad during the Civil War period had done well in their studies because they had a good background in English.

10. Ibid., No.30 (1974), pp.139-40.



and that, if English was re-introduced in Southern schools at all levels, this would contradict the National Plans. Because they did not want conflict between the Region and the Centre on this issue, they proposed the gradual re-introduction, as suggested by the Minister of Education.<sup>1</sup>

The opposition further argued that, during the Civil War, Arabic language became a "lingua franca" in the South, and asked what was to be done with those, who had received their education in this language from 1956 until the time of the Agreement. In fact, the motion did not address itself to these groups.<sup>2</sup>

The motion actually brought to the surface for the first time the problem of a common language, which could replace either Arabic or English, which are considered as foreign languages.

The problem of a common language in the South and the problems it poses for efficient administration, was recognised as early as 1928, by the colonial administration. It was because of this fact that this administration held the Rejaf Language Conference, the aims of which were: (1) to draw up a classified list of languages and dialects spoken in the Southern Sudan; (2) to make recommendations as to whether a system of group languages should be adopted for educational purposes and, if so, what languages should be selected as the group languages for various areas, to the exclusion of other vernaculars in the same areas; it was also planned to lay the

1. P.R.A., Weekly Digest of Proceedings, no.8 (1974), p.145.

2. Ibid., pp.146-7; Mr. Simon Mori Didumo, Regional Constituency of Intellectuals, who seconded this motion, argued that there would be a lack of communication both in private and public life. He pointed out that one of the root causes of the Southern Problem was the imposition of Arabic on the Southern people and, as a result, the South would not forget that soon. He further argued that if the period before the Addis Ababa Agreement had taught the South anything at all, that would be the way Southerners feel about the language issue. He urged the members to pass the motion as it was introduced.



basis for the teaching of English in the upper schools; (3) to discuss the possibility of the adoption of a unified system of orthography; and (4) to make proposals for co-operation in the production and adoption of text-books and primers, and for the adoption of a skeleton grammar.<sup>1</sup>

It was seen at the outset that it would be impossible to patronize all the languages and dialects in the Southern Sudan, so careful sifting and arrangement had to be made. The multitudinous languages and dialects were boiled down to six groups, and the principal member of each group was chosen as the representative language. In its resolutions the conference was of the opinion that the following group languages were suitable for development and that the preparation of text-books in them was a matter of urgency<sup>2</sup>: Dinka, Bari, Nuer, Lotuko, Shilluk, Zande. Acholi and Madi were in a different category, as only a very small proportion of the people speaking these languages lived in the Sudan. Literature for these languages must, therefore, be drawn from elsewhere. It was recognized that in sub-grade schools the use of other vernaculars might still be necessary. Colloquial Arabic in Roman script would also be required in certain communities, where the use of no other vernacular was practicable.

It was because of this situation that the English language became the medium of instruction in Intermediate and Secondary schools. The situation became complex, when Arabic was introduced in the 1950s and was supposed to replace English in the South. During the Civil War, Arabic almost succeeded English as a medium of instruction in those schools, which remained open in the towns controlled by the Northern Army. It was this situation in education in the South, which made this motion complex and difficult to deal with.

1. A.N. Tucker, "The linguistic situation in the Southern Sudan", in Africa, No.7 (1934), p.28.

2. Ibid.



Because the motion did not specify at which level of education English was to be re-introduced, some members thought that this motion could be amended to read:

"that the Regional Ministry of Education enforces forthwith English language as a medium of instruction in all Educational Institutions in the Southern Region beginning from 5th Year Primary Schools as language of instruction and Arabic be taught only as a subject at all levels."<sup>1</sup>

After a long and hot debate on this motion and the suggested amendments, the Assembly passed the motion as originally introduced by 22 votes to nil, with the abstention of 13 members.<sup>2</sup>

Following this resolution and a further discussion by the Executive, the Regional Ministry of Education came up with the following programme of teaching languages in the Southern schools:

- "a) in rural Primary Schools (P1-P4) local language as a medium of instruction is to be used and English and Arabic taught as foreign languages; (P5-P6) Arabic is to be the medium of instruction and English taught as a second language;
- b) in urban Primary Schools (P1-P6) Arabic is to be used as the medium of instruction and English to be taught as a second language. The children are to be instructed in their respective languages in the afternoons;
- c) in Junior Secondary (J1-J3) Arabic is to be used as the medium of instruction and English to be taught as a second language;
- d) and in Senior Secondary Schools and Training Institutes (S1-S3) or S4, English is to be used as the medium of instruction and Arabic to be taught as a second language."<sup>3</sup>

However, a more important problem for the Region turned out to be not how to legislate, but how to finance its activity in

1. P.R.A., Weekly Digest of Proceedings, No.9 (1974), p.12.

2. Ibid., p.30.

3. Democratic Republic of the Sudan, Southern Region, Peace and Progress 1972-1976-1977 (Juba, 1977), p.26.

devolved areas.

### Financial Powers and Regional Sources of Revenue

According to the Regional Self-Government Act, the PRA could levy duties and taxes in addition to national and local duties. The Assembly is empowered to pass laws, concerning the collection of all public monies at different levels.<sup>1</sup> The Act also gives the Assembly power to pass a Regional Budget.<sup>2</sup> In addition, the President of the Republic, after the Agreement, felt that these financial powers were not adequate and issued Presidential Decree No.39.<sup>3</sup> The purpose of the decree was the consolidation of the regional finances, as well as the encouragement of the Regional institutions to initiate public services and investment projects.<sup>4</sup> The taxes devolved by the Decree to the Region included: development tax; income tax from government employees; excise; business taxes; and rates and fees from central activities.

These financial powers, like the legislative powers discussed before, are to be exercised by the Region within the National financial laws. This leaves little scope for the Region to raise more revenues, but more important in limiting revenue is the nature of the economy, from which this revenue is to be derived. As we have stated in chapter one, the economy is at an early stage of development and per capita income is still at an extremely low level (with the result that the revenues from taxation are negligible). We have also shown that the economy is very largely dependent on external assistance, especially investment goods, and for some essential foods.

1. The Regional Self-Government Act, op. cit., Section 24.

2. Ibid., Section 25 (2).

3. The Democratic Republic of the Sudan, Presidential Decrees: A Presidential Order (Legislation) No.39 (Khartoum, 1972).

4. Ibid.



In addition, Regional production is concentrated on simple agricultural activity. Industrial activities are lacking, as are the mechanisms of exchange, marketing, credit, and ancillary services.<sup>1</sup> Table V:1 indicates the resultant size of the budget of the Region and the high level of central support for the first two fiscal years, which amounted to more than two-thirds of the 1974/75 budget. The Table also reveals how often the various taxes produced an insignificant yield.

Although the Central Government's budgetary support is both substantial and varied the Table reveals how small the budget is in relation to Southern needs. The budget in 1974/75 (excluding capital account) was less than £S16 million, for a population of about 3 million.

The following is the classification of the taxes assigned to the Regional Government:

- "a) taxes levied by the Central Government, but collected by the Regional Government;
- b) taxes levied by the Central and also collected by it, but assigned to the Regional Government;
- c) taxes levied by the Regional Government and also collected by it."<sup>2</sup>

The taxes levied by the Central Government include: (i) personal income tax; (ii) land rental income tax; and (iii) business profit tax. The Region faces difficulty in collecting personal income tax from members of the Armed Forces and employees of the Central Government in the Region, who claim that their institutions do not fall under the devolved authority. There was discussion between the Regional and Central authorities regarding this problem, and it was agreed that these institutions

1. For details see the Democratic Republic of the Sudan, Southern Region, Regional Development Plan (Vol.1) - Rome, 1978 - pp.61-85.

2. The Democratic Republic of the Sudan, Southern Region, The Six-Year Plan of Economic and Social Development 1977/8 - 1982/3 (Nairobi, 1977), p.54.

TABLE V:1

BUDGET OF THE SOUTHERN REGIONAL GOVERNMENT  
1973/74 TO 1974/75

<u>Budget Item</u>	1973/74 £S Approved	1974/75 £S Proposed
<b><u>A. Current Expenditure</u></b>	8.90	15.60
(of which Personnel)	(5.2)	(6.8)
(i) General Administration, Police & Prisons	3.90	3.9
(ii) Health	1.70	2.10
(iii) Education	0.60	0.80
(iv) Agriculture	0.40	0.60
(v) Local Councils	-	4.60
(vi) General Salary Increase	-	0.80
<b><u>B. Current Revenues</u></b>	0.47	4.67
1) Direct Taxation		
(i) Consolidated Income Tax	-	0.50
(ii) General Central Service Tax	-	0.72
(iii) Stamp Duty	-	0.02
(iv) Taxes on Dates	-	0.02
2) Indirect Taxation		
(i) Excise Duties	-	0.19
(ii) Consumption Duties	-	0.30
(iii) Export Duties	-	0.01
3) Non-Tax Revenues		
(i) 5% of initial cost of new projects	-	0.61
(ii) Medical Insurance Fees	-	0.10
(iii) Profits from Public Corporations	-	0.14
(iv) Pension Contributions of Government Employees	-	0.20
(v) Sale of Government Land	-	0.06

(Cont'd)...



TABLE V:1 (Cont'd)

<u>Budget Item</u>	1973/74 £S Approved	1974/75 £S Proposed
4) Departmental Charges		
(i) Sale of Sawn Timber	-	0.98
(ii) Other Departmental Fees and Charges	0.47	0.82
<b>C. <u>Financing of the Deficit</u></b>	5.5	5.50
(i) Central Government General Contribution	5.5	5.50
(ii) Central Government Grants-in-aid for People's Local Government	-	4.60
(iii) Central Government Contribution for General Salary Increase	-	0.80

Source: Growth, Employment and Equity: A Comprehensive Strategy for the Sudan, Geneva, 1976, p.493.

should remit their collections directly to the Taxation Department in the Ministry of Finance. The other obstacle to the collection of this tax was the lack of trained and competent tax officers.

The business profit tax is shared by the Regional and Provincial Governments. This has resulted in conflicting jurisdiction, under-assessment and even considerable tax evasion by Northern Sudanese traders, who could be a major source of this tax. Apart from this, the Department of Taxation in the Ministry of Finance and Economic Development was not well enough established in the Region to effect collection of this tax.

Under the taxes levied by the Central Government, and also collected by it but assigned to the Regional Government, are the following:

- (i) excise duties;
- (ii) consumption duties;
- (iii) export duties;
- (iv) corporation tax on new projects.<sup>1</sup>

The last represents a five percent tax on the initial cost of new factories and/or agricultural projects set up by the Central Government in the Southern Region. There has been no difficulty in assessing this tax and the Regional Government has been receiving it from the Central Government regularly. However, there are difficulties in assessing the share of the Region of the other three taxes. There has been no satisfactory machinery in the Central Government to record the flow of all excisable goods from the North to the South. Some discussions have been going on between the Region and the Centre on this matter and at the time of my fieldwork, a procedure was being evolved to control the entry of these goods into the Region. The Region was to insist that all traders should be obliged to declare the description and qualities of goods "imported" by them into the Region. Special officers were appointed and posted at important points of entry into the Region, especially in Juba, Wau, Kost, Malakal and Renk.

To improve this Department and its revenue collection, new offices have been opened at Kapoeta, Nimule, Bor and Bentiu.<sup>2</sup> To facilitate the mobility of the staff, the Regional Ministry of Finance provided the Department with one twenty-five seater bus and three Toyotas. The Ministry also trained eight executive staff on the job at Khartoum. Three others were doing undergraduate courses at various institutions at home and abroad. One was undergoing post-graduate Diploma training to acquire skill in the specialist field of the "pay as you earn system".<sup>3</sup>

1. Six-Year Plan..., op. cit., p.54.

2. The Democratic Republic of the Sudan, Southern Region, Annual Budget Speech 1981-1982 (Juba, 1981), p.5.

3. Ibid., p.6.



The Presidential Decree also covered excise duties on alcoholic beverages and spirits only, but this was extended to cigarettes. However, the Region was anxious that the scope of the Decree be widened to include petroleum products, sugar, cotton, textiles, shoes, vegetables, oils, soap, etc. The Regional Ministry of Finance in 1978 conducted a review of the means of implementation and scope of this decree and the difficulties experienced in the collection of such taxes. However, until the 1981/1982 fiscal year no collection has been made, because according to the Minister of Finance it was hoped to effect a revision of Decree No.39, so as to include and re-assign more customs, excise and other duties to the Southern Region for services that it renders to the community.

"Attempts made during the last several years to revive the Decree have not succeeded. As such the Government has decided to drop this tax item from this year's budget completely."<sup>1</sup>

Consumption duties were not initially incorporated in the Decree, but it was subsequently agreed that the Regional Government would be entitled to a share in the consumption duties on imported beer and cigarettes. The allocation of the Region's share was faced by the same problems as in the case of excise duties. As a result, similar measures were being taken for the assessment of the Region's share and how to obtain it from the Central Government. Since there are no significant exports from the Region, the income from this source will remain negligible until the Region can build its own export base.

The receipts from posts, telegraphs and communications assigned to the Region were not being remitted to the Regional Government in full. However, in 1977/78 fiscal year a clear understanding on this matter was reached that these central institutions should remit their collections directly to the

1. Annual Budget Speech, op.cit., p.13.

Region, which had assumed responsibility of maintenance of these institutions. We have, unfortunately, no data on the likely sums of revenue to be checked under this head.

Since tax revenues have been inadequate to pay salaries and maintain services, the Region receives grants-in-aid from the Central Government every year to cover the cost of services at Regional and Provincial levels. Even with the inclusion of grants-in-aid, the Regional recurrent revenues have been barely adequate to meet the cost of personnel and services, thereby leaving no surplus whatever for financing any part of the Development Budget in the Region. The Special Development Budget has, therefore, been financed wholly by the Central Government.

During the first five years of the Regional Government, the authorities have been busy with rebuilding a basic infrastructure damaged during the war. As a result, the Region's experience of development was not readily seen as 'progress' during this period. However, it would be pertinent to observe the actual movement of revenue during this period.

TABLE V:2

REVENUE FROM 1973/74 TO 1976/77  
(in Sudanese Pounds)<sup>1</sup>

	1973/74	1974/75	1975/76	1976/77	1977/78
Local Revenues:					
Non-Tax Revenues	466,363	1,943,889	2,601,862	4,140,800	5,601,140
Tax Revenues	-	2,728,500	3,156,236	4,627,436	8,427,400
Sub-Total Regional Revenues	466,363	4,672,389	5,758,098	8,768,236	14,028,400
Central Government Grants	5,500,000	10,991,050	15,000,050	17,800,000	20,800,000
Total	5,966,363	15,663,439	20,758,148	26,568,236	34,828,540



Thus the percentage growth in the various components of these revenues has been as follows:<sup>1</sup>

TABLE V:3  
PERCENTAGE GROWTH

Fiscal Year	Tax Revenue	Non-Tax Revenue	Central Govt-Grant	Total Revenue
1974/75	-	316	99	162
1975/76	15	33	36	32
1976/77	46	59	18	27
1977/78 (Estimated)	82	35	16	67

Additional Sources of Regional Development Revenue

The Regional Government receives subventions from the Central Government for meeting the full cost of development projects executed by the Regional Government. The Central Government is supposed to finance the following projects:<sup>2</sup> 1)Wau Canning Factory; 2) Kanaf Factory at Tonj; 3) White Nile Brewery; 4) Melut Sugar Factory; 5) Mongalla Sugar Factory; 6) and Juba, Wau and Malakal Airports. However, the actual subventions for development budgets, before the Regional Plan was launched in the 1977/78 fiscal year, have been considerably less than approved as is shown by Table V:4.

The situation did not improve when the Regional Government Plan was effected in the fiscal year 1977/78, because at its sitting no.26 (Second Session) held on the 3rd July, 1978, the Second People's Regional Assembly passed a Resolution after the Central Government had passed the overall Annual Budget

1. The Six-Year Plan, op. cit., p.56.

2. The Annual Budget Speech, 1981/82, op. cit., p.52.

TABLE V:4  
SPECIAL DEVELOPMENT BUDGETS<sup>1</sup>

(Actual Expenditure and Budgeted Amounts in £S Millions)

Fiscal Year	Budget Amount	Amount Received by the Regional Government	As Percentage
1972/73	1.4	.560	40%
1973/74	7.3	.676	9%
1974/75	7.1	1.7	24%
1975/76	7.1	1.6	23%
1976/77	15.3	4.2	27%
1977/78	32.4	5.7	18%

1978/79. The Assembly noted in the Resolution that the Southern Region was allocated £S30 million in the 1977/78 Development Budget for its own development plan, and £S14.4 million for the Central Government's projects in the Region, which amounted to £S44.4 million out of a total National Development Budget of £S307 million, (the Southern Region's share being only 14%). The resolution also noted that in the 1978/79 financial year, the Southern plan was approved the sum of £S20 million, and the Central Government projects in the Region £S13.8 million, out of a total national allocation of £S332.2 million (the Southern Region's share being only 11%).<sup>2</sup>

The Assembly further complained in the same resolution, that the Central Government schemes in the South, which were initiated before and after 1972, were still either on paper, or at very early stages - such as the Melut Sugar Scheme and the Tonj Kanaf Scheme - while the schemes, which were planned at

1. Peace and Progress 1972 - 1976-77, op. cit., p.83.

2. The Democratic Republic of the Sudan, the People's Regional Assembly, Resolution No.8, dated 4th June, 1978.



the same time in the North had reached the stage of production, such as Abu Naama Jute Factory and Haggat el Assalaya Sugar Scheme, as well as the Sennar Factory.<sup>1</sup>

The overall Southern Region budget for development was granted £S15 million in 1978/79; £S17.5 million in 1979/80; and £S20.5 million in 1980/81 fiscal year.<sup>2</sup> With inflation in the Sudan running then at more than 50%, these amounts represented a drop in the real value of over 300% in three years.

This inadequate Regional Revenue and lack of development has created misunderstanding between the Region and the Centre. A number of Southerners blamed the Central Government for the situation. They argued that the Centre is not giving enough money to the Region for its development programmes, as well as the Central Government Projects in the Region. They even accused the Centre of economic sabotage to maintain its lead over the Region (which is claimed to be 25 years).<sup>3</sup>

The lack of funds for Southern development could be traced to the Sudan's financial situation as a whole. The country's balance of payments deficit rose from \$675 million in 1979 to \$1,000 million in 1980,<sup>4</sup> compared to £S250 million at the end of 1974.<sup>5</sup> On the other hand, the total Sudanese foreign debt was \$3 million in 1980 and, as a result, a quarter of the budget went towards servicing this debt.<sup>6</sup> Lack of finance and foreign exchange in turn affected the development schemes in the

1. Resolution No.8, op. cit.

2. Sudanow, Vol.6, No.4, April 1981, p.28.

3. Ibid., p.27.

4. Ibid.

5. Growth, employment and equity: A comprehensive strategy for the Sudan (I.L.O., Geneva, 1976), p.194.

6. Sudanow, op. cit., p.27.

South. For example, the construction of the Melut Sugar Factory was begun in 1974 and was to finish by October 1977, but due to lack of funds this did not happen. The Belgian contractors for the project were supposed to receive quarterly payments from the Sudan Government, but by 1978 only one payment out of twelve had been received. The contractors decided to terminate the contract, with outstanding dues amounting to £S8 million, and the balance of the Belgian Government credit to the project (some £S40 million) was subsequently frozen.<sup>1</sup> From this example, there seems to be no element of sabotage as claimed by the Region.

A second project, which is also cited by those who believed in the theory of sabotage, is the second Regional Sugar Scheme at Mongalla. This project was initiated in 1975 and was scheduled to begin production after four years, with costs estimated at £S30.3 million, of which 70% was to have been in local currency.<sup>2</sup> However, all the contractors who applied for the project quoted higher figures and the project had to be frozen too.

The country's financial problems meant inadequate budget allocations for all the projects. For example, Kanaf Tonj applied for £S7.2 million for its 1980/81 budget. This was cut to £S2.2 million by the Ministry of National Planning and shrank to £S0.5 million, when forwarded for approval to the Council of Ministers. Of this figure, £S0.335 million was needed for employees' salaries alone.<sup>3</sup> Similarly, a request from the Melut Scheme for £S8 million was not met and only £S0.5 million was approved.<sup>4</sup>

At the same time as the Region was complaining bitterly about

1. Sudanow, op. cit., p.28.

2. Ibid.

3. Ibid.

4. Ibid.



the inadequate funding of its projects, there were complaints, too, within the North itself. Northerners believed that the South was getting more than the North. They cited the 1980/81 development budget of £S20.5 million allocated to the South and compared it to £S1 million allocated to each Province in the North.<sup>1</sup>

Given this financial problem, the question is: why were these projects initiated at all? The answer is, after the Addis Ababa Agreement it was politically desirable to initiate a large number of projects to convince Southerners that the Khartoum Government was serious about their socio-economic development. No prior feasibility studies were done on them. For example, the Dutch-sponsored Agro-Industrial complex at Mongalla, whose equipment was brought in 1975/76, was not studied at all. The studies began simultaneously with the arrival of the equipment on site. According to the Ministry of National Planning, the Scheme was unsuitable because it was capital intensive, when it was supposed to be labour intensive. A few high-cost air-conditioned houses were to be built, while there were to be no houses for the labourers, and distribution and sources of raw materials were not accounted for.<sup>2</sup>

The inadequacy of Regional finance is clearly shown by the approved budget of the year 1980/81. The revenues for this year were forecast as follows:<sup>3</sup>

(Sudanese Pounds)

(a) Regional Revenues

Tax Revenues	15,053,700
Non-Tax Revenues	6,356,707
	<hr/>
Total	21,410,407
	<hr/>

1. Sudanow, op. cit., p.29.

2. Ibid.

3. The Annual Budget Speech, op. cit., p.2.

(Sudanese pounds)

(b) Contribution by the Central Government  
for meeting the Cost of the  
Established Services for:

(i) The Regional Government	19,293,000
(ii) The People's Executive Council	20,707,000
Total:	<u>40,000,000</u>

Thus the total appropriation was £S 61,410,407. The actual collection under (a) was £S 11,278,014, or 53%, while under (b) the remittance from the Central Government was £S 36,004,331, or 90%.

The following table gives the details of actual spending:<sup>1</sup>

	Actual Expenditure up to May 1981	Actual Expenditure as percentage of approved Budget
Chapter I	14,110,957	83%
Chapter II & III	6,291,736	30%
Grants to Province Executive Councils	19,422,765	94%
Total	<u>39,422,458</u>	<u>65%</u>

For the development buget of the same year, the Centre remitted £S 12,804,491, of which £S 7,628,706 was spent solely within the Region, while the rest was spent outside, especially in Nairobi and Khartoum.<sup>2</sup> The level of implementation in the South varied from Ministry to Ministry and Province to Province.

1. The Annual Budget Speech, op. cit., p.5.

2. Ibid., p.31.



### External Assistance:

The other vital source of Regional revenue has been external assistance from various countries, voluntary organizations, and United Nations specialized agencies. Some of this assistance, especially that from voluntary agencies is not easy to quantify. However, figures provided by the Regional Ministry of Finance indicated that a total sum of £S10,329,788 was spent on various development projects between 1972/73 and 1974/75.<sup>1</sup> The total assistance made available for development projects in 1975/76 amounted to £S7,317,250, and for 1976/77, a total of £S27,017,085.<sup>2</sup> A substantial part of this aid is being used for development of education, agriculture, rural water supplies, communications, health, etc. It is the Central Government and the Agency which decide where to spend this assistance in the Region. For example, the United Nations Development Programme (UNDP) with other UN specialised agencies (FAO, ILO, UNESCO, etc.) manage the funds allocated to Aweil Rice Scheme, Nzara Industrial Complex, Yambio Agricultural Training Institute and others.<sup>3</sup> This aid is in decline.

The inadequacy of the Regional financial sources makes it depend heavily on external and Central Government aid and grants. But of equal limitation on the Region and its free action, is the role of the Central institutions like the Presidency and the Local Government system.

### Role of the President of the Republic in the Southern Affairs:

The Act makes the President of the Republic an arbiter between the national and Regional organs. This is stated in Section 22

1. Peace and Progress, op. cit., p.84.

2. Ibid.

3. Details of External Assistance from multi-lateral and Bilateral sources and voluntary organizations are given in The Six-Year Plan 1977/78 - 1982/83, pp.64-87.

which reads:

"The President of the republic shall from time to time, regulate the relationship between the High Executive Council and the Central Ministries."<sup>1</sup>

The Act also provides that the PRA may request the President by a 2/3 majority to postpone any national act seen as adversely affecting the welfare and interests of the Region.<sup>2</sup>

These two provisions have been invoked several times, but two instances will illustrate the manner in which the President has acted: the oil crisis for the power provision, and the border crisis for the latter.

#### The Bentiu Oil Crisis:

Bentiu is one of the Upper Nile Province districts which border the Northern Sudan. It is populated by the Nuer mainly. From 1977 to 1978 it was commonly known in the Region, that a certain foreign firm was prospecting for mineral oil in the Sudan. It was then rumoured that oil had been found in large quantities and high quality, first in Western Sudan, then later in Central Sudan, and finally in Bentiu area. This led to the following rumours in the Region:

- "(a) that a new oil province was to be created composed of the entire Bentiu Area and parts of Southern Kordofan, and to be directly administered from the President's Office in Khartoum, thereby keeping the Regional Government out of the affair;
- (b) that a new oil Ministry had already been created in Khartoum specifically to manage the oil affairs;
- (c) that over two thousand five hundred young men from the North had already been selected and sent to America for intensive training in oil technology and related matters;

1. The Southern Provinces Self-Government Act, op. cit., p.7.

2. Ibid., p.5.



"(d) that the oil refinery would be located not in Bentiu but in either Kosti or Khartoum or Port Sudan;

(e) that in all those matters relating to the oil the Regional Government and people were neither involved in oil negotiations nor even informed."<sup>1</sup>

These rumours did spread far and wide; and as they spread they also generated all sorts of comments along with them. Thus, on 16th September, 1978, Radio Voice of America allegedly announced that oil found in Bentiu area would be transported through pipelines to Port Sudan, where some of it would be exported to world markets and the rest refined therein for local consumption.<sup>2</sup> That was taken as a confirmation of these rumours, which were the currency of the day. It was further taken as evidence of dangerous schemes against the South. It was on this issue that the students in the South took to the streets on the following dates:

(i) Rumbek Senior Secondary School 28.9.78; (ii) Juba Commercial Senior Secondary School 29.9.78; (iii) Bussere Senior Secondary School 1.10.78; (iv) Atar Senior Secondary School, Obel and Dolieb Hill Junior Secondary Schools 30.10.78.<sup>3</sup> Thus for the second time since the Jonglei Canal riots in Juba in 1974, Southern students went to the streets on these dates to express their fears of the Central Government intentions in the region. The students felt that it was their duty to go to the street because the Regional Assembly and the HEC did not confirm or deny these rumours.

The President of the Republic in an interview with Al-Hawadess an Arabic magazine, dismissed these demonstrations as carried

1. The Democratic Republic of the Sudan, Southern Region, The High Level Investigation Committee into the Causes of Student Unrests in the Schools (Juba, 1979), p.12.

2. Ibid., p.13.

3. Ibid., p.13.



by some Southern politicians, who lost their positions in the Regional Government, following the 1978 general election. According to the President, these politicians used false propaganda and allegations to cause some unrest in the Region.<sup>1</sup> However, later in the year the President himself broke the news to the Sudanese people, that the oil had been discovered in the "South-West" of the Sudan. But he did not mention Bentiu as expected by Southerners.

Following the rumours of the oil discovery in the South and the announcement by the President that oil had been discovered in the Sudan, Southerners formed their own ideas about the location of the refinery. Some of them suggested that, instead of building a pipeline to take the oil to the North, the Central Government should build a refinery in Bentiu. But nothing was certain because the Central Government did not admit that the oil was located in Bentiu.

It was not until 1980 that the question of the location of the oil refinery, became an issue between the Regional and Central Governments. On 10 November, 1980, President Numeiri informed the People's National Assembly that the refinery would be constructed in Kosti, because of its "strategic location".<sup>2</sup> This announcement by the President of the Republic was not welcomed in the Region and, as a result, Abel Alier, the President of the High Executive Council, and Bona Malwal, Regional Minister of Industry and Mining, went to Khartoum to meet with Dr. Sherif al Tuhami, the Central Minister of Energy, and the officials of the American Chevron Oil Company. At this meeting, the Central Minister of Energy and Mining, with the Chevron officials, outlined the reasons behind their choice of Kosti as the location of the refinery, under different technical, operational and financial heads. The reasons given by the Southern repres-

1. Nile Mirror, issue no.426, Saturday, March 10, 1979, p.2.

2. Sudnaow, June, 1981, p.12.



entatives for locating the refinery in the South, near the wells themselves, included economic development of the area, where the oil wells are located, and the problem of transporting back the refined oil to the Region. No agreement was reached at this meeting. Instead it was suggested that Bona Malwal returned to Juba to discuss this matter with the Regional Government. On 15th December, 1980, Bona Malwal briefed the S.S.U. group in the Regional Assembly of the problem of the location of the refinery and the stand of the Central Government and the Company on Kosti. The Group, followed by the HEC and PRA, decided that Bentiu was the proper location for the refinery.<sup>1</sup>

Bona and Peter Gatkuoth (Regional Minister of Finance) returned to Khartoum, carrying with them a seven page report outlining the substance and reasons behind the Southern choice of Bentiu. This was handed to the President of the Republic, who, after going through it, told them that the papers before him suggested that the Kosti choice was provisional, until proper consultations were undertaken by both parties. When he learned that no such consultations had taken place between the Region and the Centre, he ordered the Minister of Energy and Mining and the Chevron officials to go to the Southern Region and explain to the Southerners, why they chose Kosti as the location.

At Juba, the Minister of Energy and the Chevron officials failed to convince Southerners that Kosti was the right location. Some Southerners even accused the Minister of reporting to President Numeiri that Southerners wanted the refinery to be built in Bentiu merely for political reasons, which they considered as "a half truth".<sup>2</sup>

Given this situation, a deadlock was reached in April, when

1. Sudanow, op. cit., p.18.

2. Ibid.

the People's Regional Assembly passed a resolution calling for the installation of the refinery in Bentiu. The stand of the HEC and the Resolution of the PRA confirmed to the Central Government, including the President of the Republic, that the South wanted the refinery in Bentiu and not in Kosti.

On 15th April, in reply to enquiries about this issue in the People's National Assembly, the Central Minister of Energy and Mining said that Kosti had been selected as the refinery site in the light of scientific, technical and economic factors. But Southerners were not convinced by this argument. The Minister told the National Assembly that he had no knowledge of the Pro-Bentiu resolution passed by the People's Regional Assembly.<sup>1</sup>

These remarks prompted the Regional Government to send Abel Alier to Khartoum for the second time for "clarification", but on his arrival, he learned that the President of the Republic had issued a decree favouring Kosti as the right location for the refinery.<sup>2</sup>

Mr. Alier returned to Juba to convey the decision of the President of the Republic to the HEC and People's Regional Assembly. In an exclusive meeting of the Executive, the members decided that they should resign from their posts as a protest against this decree. However, they were told by Abel Alier that President Numeiri was willing to accept their resignation and would appoint an interim government until new elections were run.<sup>3</sup> In the light of this information it seems likely that the

1. Sundanow, op. cit., p.18

2. Following this Decree Southerners felt that the President had taken sides in support of the Central Government decision to make Kosti the site of the oil refinery because he was a Northerner and had acted in the interest of the North.

3. Information derived from an interview with Mr. Ambrose Riny Thiik, Chairman Assembly Body in the People's Regional Assembly, when he visited Edinburgh on 26 Sept. 1981. The interview took place in Dr. Chol Dau Diing's house, at Roslin.



members changed their minds not to resign. This fact, too, was supported by the rumours that the next man to head the interim government was to have been Mr. Joseph Lagu, who then had embarked on a proposal to divide the South into more Regions to match the division of the North into five Regions.<sup>1</sup> This proposal has been opposed by the Executive and a great number of members of both Regional and National Assemblies, on the ground that it would undermine Regional unity, as well as the Regional Self-Government Act of 1972.<sup>2</sup>

The question is: why did this issue become a crisis between the Region and Centre, given the fact that the Regional Self-Government Act is clear on the issue of mining and quarrying, when it states that the Region would mine and quarry without prejudice to the rights of the Central Government on the discovery of Natural Gas and minerals? The answer to this question lies in how the parties to the conflict looked at the issues involved. According to the Central Ministry of Energy and Mining and Chevron officials, construction of a refinery at Bentiu would be very expensive. They argued that, on the basis of 10,000 barrels per day (b/d), the cost differential is \$110 million; at 25,000 b/d the figure rises to \$430 million.<sup>3</sup> Chevron stated that it had no additional funds to invest and even for the building of the Kosti refinery would need another source of finance. They further argued that Kosti was selected, because the products of the crude oil would be used by the major industries located in the area, like the Hajar el Assalaya and Kenana sugar factories. They also pointed out that there were no roads, air or railway facilities connecting Bentiu with the so-called Northern Industrial Complex in the Khartoum and Gezira areas.<sup>4</sup>

1. For details of this see Lt. Genl. Joseph Lagu (Rtd.), Decentralization: a necessity for the Southern Regions of the Sudan (Khartoum, 1981).

2. These points are stated clearly in a pamphlet entitled, The Redivision of the Southern Region: Why it Must be Rejected, by the Solidarity Committee of the Southern Members 4th People's National Assembly, Omdurman (Nile Printing Press, Juba, n.d.).

3. Sudanow, op. cit., p.19.

4. Ibid.



The Southern viewpoint on this problem was that Bentiu, as one of the most underdeveloped and backward areas in the South, would benefit from construction of the refinery there. They thought this would force the Chevron company to build roads and even schools and health facilities, as well as provision of jobs for the people of the area. They also expected that the Region would get royalties and tax revenues from the oil revenues, which would free the region from its dependency on the Northern budgetary support.<sup>1</sup>

Southerners further feel that, if they had not been divided into rival "Abel" and "Lagu" groups at this time, President Numeiri would not have imposed Kosti as the location of the Refinery. This point was put forcefully by Peter Gatkuoth: "...our political divisions eased the President's decision, enabling him to place his ideas firmly".<sup>2</sup> These divisions are clearly illustrated in an interview with Sudanow in April, 1981. Joseph Lagu was asked what he thought about the problem of the oil refinery location. Mr. Lagu said, among other things, that politicians should keep their noses out of the site of the refinery and leave it to the technicians to decide the correct place.<sup>3</sup> This statement was interpreted by some Southerners as a support for the Kosti site, because it was the choice of the oil company (especially its technical experts).

A second occasion, on which the division among Southerners revealed itself in regard to this issue, was during the discussion in the Regional Assembly, when some politicians from Eastern and Western Equatoria walked out of the Assembly, saying that it was the oil of "JENGE" (The Dinka) and they had nothing to do with it.<sup>4</sup> It was in the light of these two occasions, that

1. Sudanow, op. cit., p.19.

2. Ibid., p.17.

3. Sudanow, April, 1981, p.19.

4. Sudanow, June, 1981, op. cit., p.19.



some Southerners came to believe the rivalries between the Abel and Lagu groups narrowed the ground for responsible discussion and compromise. They blamed the HEC for not having preferred and made a strong decision favouring Bentiu, because it was locked in a rhetorical battle. This group specifically accused the pro-Lagu group of undermining a Southern stand on this issue. This viewpoint was stated clearly by Mr. Angelo Beda, the Speaker of the People's Regional Assembly, when he said,

"It is difficult to win when you are divided... some politicians here were saying that politicians should not poke their noses into purely technical matters. With such a division, what can we do?"<sup>1</sup>

Blame for the Kosti decision has also been directed towards the Southern members in the National Assembly. Southerners argued that the President stated to that Assembly, in November 1980, that the refinery would be located in Kosti, but Southern members did not take up the matter as they did in the case of the borders between the Region and the Centre.<sup>2</sup>

A great many Southerners were less concerned with blaming this or that group, but argued that Southerners should look carefully at the Petroleum Resources Act, 1972, and the Mine and Quarries Act of 1973, with a view to demanding from the Centre a greater say in the utilization of the Southern Region's natural resources. To this argument, we can add that Southerners should have devised the way in which the revenues from oil should be shared between the Region and the Centre, and should have abandoned the idea of locating the refinery in Bentiu, because, as we know, a refinery is a capital intensive industry and it will not employ as many Southerners as expected.

1. Sudanow, June, 1981, op. cit., p.19.

2. Ibid.

On the other hand, even if Southerners were united on the Bentiu location, the President would not have agreed to change his mind, because it was he who made the agreement with the Company in the first place, without consulting the Regional Government; and it was not the first time the Region was not consulted on a major scheme within its borders. The negotiations on the construction of the Jongeli Canal were made by the Centre with Egypt, and the South was not consulted. The Jongeli case set a precedent to be followed in the Centre, whenever a valuable mineral is discovered in the Region. In short, this is a good example of the limitation of the autonomy of the South.

The second example, which illustrated the limitations on the powers of the Regional Assembly and Executive was the border crisis between the Region and the Centre.

#### The Border Crisis of 1980:

On November 24, 1980, the National Assembly discussed two major issues: namely, passing a Law creating five Regions in the North, as an implementation of regional policies in that area; and consideration of boundaries between some new regions and the old Southern Region.

Article 4 of the Bill, which addressed itself to these issues, and particularly the map attached to it, transferred areas of the Southern Region into the Northern Regions. These areas included Hafrat el Nahas, Kafia Kingi, Abiei, Abiemnom, Rianganom, Kaka, Geiger, Chali and Kurmuk. This was noticed by the Southern members in the National Assembly and they requested the removal of that map, because in their view it violated article 2 Section (iii) of the Regional Self-Government Act, which states that:

"Southern provinces of the Sudan means the provinces of Bahr el Ghazal, Equatoria and Upper Nile



"in accordance with their boundaries as they stood on January 1st 1956, and such other areas as may be decided by a referendum to be culturally and geographically a part of the Southern complex."<sup>1</sup>

All the areas which the map transferred to the North fall within this definition. What surprised many Southerners was that the following steps were taken before this Bill was sent to the Assembly.

First, the Central Council of Ministers discussed and passed the proposed Law and sent it in the usual way to the National Assembly to discuss it. Section 4 of the proposed Law:

"provides that boundaries of the Regions will be as indicated on a map attached to that Law."

But when the Council of Ministers discussed this Section, the map was not produced and made available to the Ministers in the Council. Those in charge of official maps, namely the officials of the Department of Surveys, claimed at the time when the Bill was presented to the Council of Ministers, that the map was not ready for presentation to the Council.<sup>2</sup> It seemed to have been assumed by the Council of Ministers at the time of discussion, that the map required would be the one which was in force on January 1, 1956, in respect of borders between the Southern Region and the North.

The Department of Surveys in the Ministry of Internal Affairs failed totally to produce the map to the Council of Ministers, despite repeated requests from the office of the President of the Republic and the Council of Ministers. The Council of Ministers did not wait for the map to observe, scrutinise and decide on

1. The Regional Self-Government Act, op. cit., p.2.

2. Abel Alier, "Full Text of Statement to the Southern Region Masses on the Border Crisis", in Nile Mirror, 6/12/1980.

its correctness or otherwise. Instead, the proposed Law was sent to the National Assembly without the map, and the map in dispute was sent straight from the Department of Surveys to the National Assembly. The Assembly did not send it back to the Council of Ministers for verification, and the Council of Ministers appeared not to have requested it from the Assembly for prior scrutiny. Instead, the Assembly accepted the map as it was presented, claiming that it was recommended by the executive (the Council of Ministers).

Secondly, when the map and the proposed Law were brought to the Committee of Legal Affairs in the Assembly, the Committee advised the Assembly to delete Section four dealing with the boundaries and to provide in the law, that boundaries should be fixed by the President of the Republic. The Assembly rejected the recommendation of the Committee of Legal Affairs and endorsed the map as it was presented by the Surveys Department. Many Southern representatives in the National Assembly walked out of the Assembly in protest against the map presented. In addition to the areas mentioned earlier, this map pushed the border of the Southern Region back greatly in two areas, notably the area north of Bentiu where the oil field called Unity One is located, and certain parts of the Northern Renk District, where the main Agricultural Schemes are located.<sup>1</sup> This map to many Southerners confirmed the rumours of 1978 that a new oil province was to be created, composed of the entire Bentiu Area and parts of Southern Kordofan, and to be directly administered from the President's Office in Khartoum, thereby keeping the Regional Government out of the affair. They interpreted Northern motives behind this map, as to deprive the South of its vital areas with oil and agricultural production potentials.

1. These areas include: Geiger, Omdulith, Goz Dakadik in the North and Kaka and the whole of the west bank of the White Nile, which belongs to Renk.



Despite the objection of Southern members in the National Assembly to Section four of the Regional Bill, and the eventual boycott of some of them to vote for or against it, the National Assembly passed the Bill in its third reading, as it was originally presented.

When the Region learned that the Bill had been passed by the National Assembly, the Regional Assembly held an extraordinary meeting in December 1980. The Assembly petitioned the President of the Republic to revoke Section 4 of the Regional Bill, because it affected adversely the welfare, rights and interests of the citizens of the Southern Region. The petition was sent to the President of the Republic, who formed a committee, headed by the Chief Justice of the Sudan, to look into this issue. The Committee within two weeks reported back to the President and confirmed that Section 4 of the Bill contradicted Article 2, Section (iii) of the Regional Self-Government Act of 1972, and Article 8 of the Permanent Constitution of the Sudan.<sup>1</sup>

The reaction of the Southern people was extreme. For example, Southern students in Higher Institutions and Universities wrote memoranda to President Numeiri and Abel Alier, stating that they were not against the policy of decentralization as provided by the Permanent Constitution; but they rejected the resolution of the National Assembly for the following reasons:<sup>2</sup>

"(i) it violates Article 2 (iii) of the Southern provinces Regional Self-Government Act 1972, which clearly defines the boundaries of the Southern Region...

1. Article 8 states: "within the unitary Sudan, there shall be established in the Southern Region a Regional Self-Government in accordance with the Southern Provinces Regional Self-Government Act, 1972, which shall not be amended except in accordance with the provisions thereof". The Permanent Constitution of the Sudan (1973), p.3.

2. Southern Students Memorandum to President Numeiri, Nile Mirror, Saturday, December 13, 1980, p.6.



"(ii) It is aimed to deny our rights of ownership of those areas falling within the definition under Article 2 (iii)... Abyiei, Kurmuk etc.

(iii) We think that it is spearheaded by the enemies of the May Revolution, who do not acknowledge the Addis Ababa Accord. To quote some of them a certain member of the People's National Assembly said, 'the Addis Ababa Agreement was a secret agreement between Southern Sudanese and Numeiri'. On the other hand the Leader of the People's National Assembly in the meeting with Southern M.P.s on the 27th November, 1980, said that the Addis Ababa Agreement does not determine the boundaries of the Southern Region;

(iv) We believe that it is calculated to antagonise Southern people against the May Revolution and designed to divide the supporters of the policy of Regionalization. It is also directed to harm the National Unity.

(v) It is an arbitrary legislation calculated to push away Southern Sudanese population from their present areas with rich natural resources.

(vi) Presumably it might have been brought up by short-sighted people who think that it could lead to an indirect quick solution of tribal conflicts in the areas of Abyiei and Aweil Districts.<sup>1</sup>

(vii) The presence of some Islamic culture in some areas of the North-South boundaries for example Kafia Kingi does not justify the arbitrary annexation of these areas to the Northern Sudan as stated by the Attorney General in the Sudanese mass media.

(viii) It is a bias resolution, otherwise the same unjustified qualifications could have made some parts of the Northern Sudan to be annexed to the Southern Sudan."

1. Abyiei is the Dinka Nyok country which falls under the Administration of Northern Sudan, and share Kordofan Province with the Nuba and Baggara Arabs. The Baggara Arabs like the Abyiei Dinka own cattle. Quarrels over grazing land and sometimes cattle raiding frequently occur. The Baggara have guns while the Dinka have none, so when there is a violence the Dinka lose to the Baggara. After the Agreement the educated sons of Abyiei have been demanding for a referendum to join the Southern Region according to the Addis Ababa Agreement. At the time the National Assembly passed the Bill, Abyiei was to have a referendum to decide where to belong.



The memorandum requested the President to veto the resolution because it would lead to disunity. The students stated that this resolution was aimed at alienation of the Southern people in their support of the May Revolution. They requested the President to ban the map which was the centre of the dispute.

The students requested the President to hold a referendum in Abyiei, Kurmuk and the other areas mentioned in the Regional Government Act. They accused in this referendum, certain elements in the North as working against the decentralization process. They asked the President to order an investigation of those elements behind this move. As usual they cited those occasions, on which Southern opinion was not sought, such as the Jongeli Canal contract, the economic and political integration between Egypt and the Sudan, and the revision of the Laws to conform to Sharia Law, as requested by the Muslim Brotherhood Organization. The students asserted that, if the word "national unity" was to be given its correct meaning, the South should be represented in the National Executive and the institutions, such as the Central Cabinet, National Planning Commission and higher educational planning committee.<sup>1</sup>

The contents of the memorandum to the President of the High Executive Council were the same as given in the memorandum to the President of the Republic, but it emphasized Southern fears aroused by this Bill and the Kosti oil refinery location.<sup>2</sup>

Whether we agree or disagree with Southern feelings on this issue as stated above, two questions remain to be answered. The first is why did the National Assembly insist in passing this law unamended, despite the objection from Southern members? Secondly, what was the right procedure to be followed by the Assembly to pass this law as originally presented to it?

1. Southern Students Memorandum, op. cit., p.6.

2. Ibid.



The answer to the first question is difficult to give but the clues are provided in the Southern students memorandum, especially if we consider the attitudes of the two Northern opposition groups, led by Sadiq-al Mahdi of the Umma Party and Dr. Hassan el Turabi of the Muslim Brotherhood organization.<sup>1</sup> These two leaders see the Addis Ababa Agreement as an affair between Numeiri and the Southern Sudanese. Some Northerners go further to suggest that the Addis Ababa Agreement is a first step to separation.

"Separation which has not been achieved by war may be achieved by peaceful means."<sup>2</sup>

In other words, Southerners are still suspicious of the leadership of the old political parties, especially Turabi and Sadiq, in this regard. Thus the supporters of these two leaders in the National Assembly are accused of having pushed this resolution to create a new crisis between the Region and the Centre. I agree with this opinion.

Concerning the procedure, which was supposed to be followed by the Assembly for a Bill amending the Regional Self-Government Act, it was required to vote by a three-quarters majority and to request the President of the Republic to endorse its decision. Further, it was necessary to achieve at least a 2/3 majority of those voting in a referendum on the subject held in the Southern Region. Instead, the Bill was not passed by a

1. The stock account of these parties are found in P. Bechtold, Politics in the Sudan: Parliamentary and Military Rule in an Emerging African Nation (Praeger, New York: 1976). Although I don't have evidence to show this, it is enough to deduce from their insistence that the Sudan should become an Islamic Republic. For instance, in an interview with the Middle East Magazine (1977), Sadiq el-Mahdi was quoted as saying that they were Muslims and Islam should play political and spiritual roles in their lives (p.34); Turabi asserts that if the Muslim Brotherhood Movement in the Sudan was suppressed, they would stage a Khomeini-type Islamic Revolution: 'I know that this country will become Islamic either gradually or by a coup', he said, Africa, No 98, October, 1979, p.62.

2. Abu Baker El Obeid, The Political Consequences of the Addis Ababa Agreement (Liber Tryck, Stockholm, 1980), p.129.



3/4 majority required, because some Southern members walked out of the Assembly and even some Northern representatives voted against alteration of the Southern boundaries. It seems that because of these facts, the President endorsed the Report submitted by the Chief Justice, because the final draft of the Regional Government Law, Article 4, Section 2 reads:

"The boundaries between the Provinces and the new regions will be as in 1974 except the boundaries between the adjacent provinces to the Southern Region which shall remain as on 1st January 1956."<sup>1</sup>

The overall judgement is that these two cases (oil and the border crisis) illustrate the limitation imposed on the devolved institutions by the Presidential powers incorporated in the Act. They also confirmed Southern suspicion of the intentions of the Central Government to exploit Southern potential riches in minerals, viz: 1) gold in Eastern Equatoria province; 2) Uranium and copper in Bahr el Ghazal; 3) oil in Upper Nile and Jongeli provinces.

The other problem emanating from Devolution is the issue of precise delineation of responsibility between the Region, Local Government and the S.S.U.

#### Local Government and the S.S.U.:

As a system of local rule, local government has a fairly short history in the Southern Region. Under British rule (1898-1956), the Southern Sudan was governed through a system which was an amalgam of direct and indirect administration.<sup>2</sup>

The whole country was divided into basic administrative units

1. The Democratic Republic of the Sudan, Supplement of Special Legislation, Regional Government Act 1980, Khartoum, December 31, 1980, p.154.

2. Raphael K. Badal, The 1971 Local Government Act: The Case of the Southern Region, (Khartoum: 1979), p.8.

or provinces, under British Governors. The provinces were in turn sub-divided into districts under the supervision of British Commissioners. The junior administrators (field officers) and supporting staff were drawn from Egyptian personnel.<sup>1</sup> Other forms of Local Government, notably indirect rule, were tried in the Sudan as a whole, but did not succeed in the South. However, the first local government act which applied to the Sudan as a whole was enacted in 1951. According to this Act, local councils were to be created by the Central Government through separate warrants. The councils were granted financial resources of their own, empowered to maintain their own staff, provide local services, to make and execute policy and to pass Laws of local application. Under this system there were 86 local councils, 20 town councils and other rural councils.<sup>2</sup> Each council was a corporate body, established by warrant, had its own budget, staff and powers to levy local taxes. They had elected councillors.

This Act was considered defective because it incorporated side by side two systems under two different ministries, the one being a centralized system represented by the Governor and District Commissioner, and the other, a local system functioning on the basis of councils. However, the Governor or the District Commissioner used to exercise all powers and consequently to control all services in the province or district.<sup>3</sup>

This pattern of centralized, administrative control of local government was strengthened by the Abboud military government, through the 1960 Public Administration Act. This established Provincial Councils and Authorities, both made up of ex-officio or appointed members, mainly from the administration. Not until 1971 was a more representative system of local government installed under the People's Local Government Act, 1971.

1. Raphael K. Badal, op. cit., p.9.

2. Ibid., p.13.

3. Ibid., p.14.



The People's Local Government Act, 1971:

A notable feature of this system is a major shift of power away from Khartoum to the provinces. Each province is supposed to have an elected People's Executive Council (P.E.C.) of its own, as the basic unit of the new local government system. The PEC is also supposed to administer all the services in the Province.

The objectives of this Act are as follows:

- "1) The spread of democracy from the base to the top.
- 2) The participation of citizens and their training to enable them to run their own affairs.
- 3) The endowing of the representative bodies with the necessary powers which enable them to deal with local problems in proper and quick manner.
- 4) The confining as much as possible of the responsibilities of the Central Government in matters of local concern to the general supervision, direction and technical advice.
- 5) The regular ascertainment of the opinion of local councils about projects of development covering them."<sup>1</sup>

It is clear from these objectives, that the idea behind this Act was to extend government and democracy to the local population with the minimum of interference from the Centre. The question then is how does it conflict with the powers of the devolved institutions? The conflict arises in many areas but the most important one is in the powers of the Province Commissioner and his role as the S.S.U. Secretary and representative of the Central Government.<sup>2</sup>

The relationship between the Regional Government and Local Government is not clearly defined, which creates serious prob-

1. Quoted in Badal, op. cit., p.20.

2. The Democratic Republic of the Sudan, Ministry of Local Government, The People's Local Government Act 1971 (Act No.46, 1971), pp.3-4.

lems of interpretation of the 1971 Act and the responsibilities of each level. However, the Regional Government, through its Regional Ministry of Administration, has assumed responsibility for interpreting it for the South.

#### Powers of the Commissioners:

Aside from his responsibility in the province for law, order and security, the Commissioner has disciplinary and supervisory powers over the civil servants. These officials are of two types: staff of the technical Ministries, such as agriculture, health, education, housing etc.; and Local Government officers from the Ministry of Regional Administration, police and prisons. Technical Ministries can inspect the activities of their respective departments in the provinces, but lack the power of control and supervision.

This dual control by both the Centre and Region causes problems: for example, that of who is to recommend the officials of the Regional Government for promotion and supervision. According to the 1971 Act, it is the Commissioner, who can do that, but according to the Regional Civil Service Law, it is the Director of the Ministry concerned, who can do recommendation and supervision.

The P.C. was intended to play a pivotal role in the whole of the P.L.G. system. He is appointed by, and responsible to, the President of the Republic. In the case of the South, the appointment is made on the advice of the President of the HEC.

The other areas where the Central institutions conflict with the Regional ones, is in the powers of the S.S.U. vis-a-vis the People's Local Government system. The Inspector of Local Government is head of the administration in the district, while the S.S.U. Secretary is the political boss. This creates conflict between these two officials, when it comes to the problem of pro-



toocol. This is illustrated by a case, which occurred at Aweil District during a visit by the President. The S.S.U. local branch Secretary was the first to make a speech welcoming the President. This was followed by the Inspector of Local Government. When it was time for the President to tour the town, it was the Inspector of Local Government who took the responsibility, while the S.S.U. Secretary stayed behind.<sup>1</sup>

Many local government officers and officials of Regional Ministries dislike their S.S.U. counterparts. They charge them with interference in their respective speciality. For example, in Gogrial District, the S.S.U. officials collected taxes directly from the local people, without issuing any receipts, and even tried civil cases, which fall under the local council and courts.<sup>2</sup>

This confusion between party and state institutions stems from the ignorance of the people involved, about the division of powers between the local government and the functions of a political party at this level.

From what we have described so far, it is clear that the roles of the President of the Republic, Local Government and the S.S.U. are sources of limitations on the authority of the devolved institutions. If you add the modest legal scope of the powers of the PRA and the inadequate financial resources of the Region, the question to pose at this juncture is: what response was there in the South, other than that already discussed in the PRA and HEC? The only groups which have reacted violently to these limitations have been students and the ex-Anyā-Nya. The early instances, on which these groups acted violently are the Jongeli Canal crisis, the Akobo incident and the Juba Airport incident. Similar incidents in recent years are discussed in Chapter 6.

1. Badal, op. cit., p.31.

2. Ibid., p.31.



### The Jongeli Canal Riots of 1974:

The idea of the Jongeli Canal Project is an old one, and dates back to 1904, when Sir William Garstin made his proposals on how to minimize the enormous water loss through evapotranspiration in the Sudd of the South. Since then, many studies have been made and several proposals have been recommended. One of these proposals was the Egyptian plan, which called for the digging of a canal from the mouth of the Sobat river to Jongeli Village.

This plan aimed at drawing huge amounts of water (about 55 million cubic metres per day); if implemented, would have had irreparable effects on the local ecology and livestock.<sup>1</sup> This project was suspended and in 1974, a new plan in line with that old project came into being.<sup>2</sup> This new plan, or the Jongeli Canal Project Phase I, envisages a canal from the Sobat mouth to Jongeli Village, with a capacity of 20 million cubic metres per day. The plan became controversial and divided Southerners into opponents and supporters. The students joined the former group.

Between the 14th and 16th of October, 1974, students from four Secondary Schools and a number of Junior and Primary School children demonstrated in Juba. According to government officials, these demonstrations were caused by a claim that 2.5 million Egyptian civilians were on their way to settle along the proposed Jongeli Canal; that 6,000 Egyptian soldiers were to be stationed along the Canal to protect the Canal and Egyptian settlers; and that each district of the 23 in the Region was to be supplied with 6,000 Egyptian soldiers.<sup>3</sup> A complete occupat-

1. M.O. El Sammani and Philip Leek Deng, The Seasonal Migration of People and their Animals in Kongor and Bor District, Jongeli Province (Khartoum: September, 1978), p.3.

2. The Democratic Republic of the Sudan, Executive Organ for the Development Project in Jongeli Area, Jongeli Project (Phase I), (Khartoum: January, 1975).

3. Abel Alier, Address to the People's Regional Assembly, October 30, 1974, p.1; also James Sulton, thesis, Regional Autonomy in the Southern Sudan: A Study in Conflict Regulation (Unpub. Ph.D. thesis, The John Hopkin's University, 1980), pp.327-338.



ion of the South by Egypt was the rumour. Other factors included the high level of unemployment; the conditions in the schools and lack of school materials, as well as teachers.

On the 14th, the students walked to the Headquarters of the HEC, where they asked to hear from the most senior person available. Hilary Paul Logali, who was acting President of the HEC addressed them and assured the crowd that there was nothing wrong with the Project.<sup>1</sup> He promised discussion in public, in which students and the public could express their views. The students were convinced and went back to their schools. The extent of their discontent became clear from their slogans, which condemned the May Revolution, Regional Autonomy and even National Unity.<sup>2</sup>

However, on the 15th, the students decided to go on strike. Students from the Girls' Senior Secondary School, the Commercial Senior Secondary School, Juba I and Buluk Junior Secondary Schools went to various schools in town and asked the students to join the strike, which happened. When some members of the PRA went to their schools, the students charged them and the Regional Government with being stooges of foreign governments. Given this hostility, the Government banned the rally, which was planned to take place on that day. This action forced the students onto the streets again, where they destroyed public and private property. The Government stationed police around the main schools, like Juba Commercial and Buluk, to deter the students from going onto the streets; however, students from Buluk broke out and were joined by Juba Commercial and other schools. It was during this confrontation that one student was shot dead and others injured.<sup>3</sup> That day, there was more destruction to property, especially that owned by Northerners. They

1. Abel Alier, Address to the People's Regional Assembly, op. cit., p.2.

2. Ibid., p.2.

3. Ibid., p.3.



were joined in all this destruction by ex-Anyā-Nya, who were not absorbed or employed. The evidence of the latter involvement in the riots, was the destruction of the Labour Office in Juba.<sup>1</sup> This was not the work of students, because if they wanted to destroy government offices, they could have done that to their schools and the Headquarters of the Ministry of Education.

Following the riots, a State of Emergency was declared in Juba and police and the Army were stationed at strategic points in town. The curfew continued until 26th of October and the State of Emergency until the 29th.

The governments estimated losses at two people killed, three policemen injured.<sup>2</sup> While the damage to property amounted to £S 27,750, of which £S 23,000 represented damage done to property of small businesses owned by the Northern Sudanese.<sup>3</sup>

This illustrates the point that the reasons for the students' actions lay then in the rumours concerning the Canal; than in the students' general attitudes to the Agreement, and to the poor conditions in the schools themselves. The problems in the schools consisted of: a) lack of enough text-books for Arts and Sciences; b) lack of teachers, especially those of Arabic and English languages, Mathematics and History; c) lack of chairs, desks, iron beds, etc.; d) lack of running water in schools; e) lack of expansion in accommodation, dining halls, boarding houses, classes, latrines and bathrooms; f) lack of generators in schools to supply light; and g) lack of dispensaries in the schools and the difficulty in obtaining drugs because of lack

1. When the riots broke out, I was in Juba working for the Regional Ministry of Public Service, under which the labour department falls. Many ex-Anyā-Nya personnel, who failed to get jobs and were seeking ones, used to tell us that we were not employing them because they were not educated like us. This grievance, no doubt, led to their participation in the riots and the destruction of Juba Labour Office.

2. Abel Alier, op. cit., p.4.

3. Ibid., p.5.



of money.<sup>1</sup> Since the Addis Ababa Agreement, very little improvement had taken place in these conditions and it is understandable why students reacted negatively. Like other Southern Sudanese, the students expected much from the agreement, especially in the improvement of educational institutions, but this did not happen, due to lack of finance for the region to effect all the developmental plans as expected by the students.

As to the unemployed or underemployed, the reasons for their involvement in the riots had related origins. Like students, they expected jobs and improvement in their working conditions, but it did not happen, due to lack of money and, thus, their alienation from the system.

The other group, which was frustrated early by the system were the absorbed ex-Anya-Nya soldiers. Their frustration was expressed in violence on many occasions, but the most serious ones were the Akobo and Juba Airport incidents.

#### The Akobo Incident of 1975:

This incident was a result of the so-called absorption of the Anya-Nya into the Sudanese Armed Forces. The agreement called for the creation of a Southern Command with 6,000 men and officers from the South and 6,000 men and officers from the North.<sup>2</sup> The integration process began in mid-1973 and was

1. Memorandum to the Regional Minister of Education, dated 22.11.1978, from Bussere Senior Secondary School students, in Bahr el Ghazal Province. In it, the English pattern of Education students, who failed Arabic in the academic year, 1977/78 and were not accepted in the University of Khartoum or Juba, because of this condition complained. They requested the Minister to draw up a curriculum, in which English should be given as a condition for passing examinations in the South, because it is the language of instruction. The full text of the memorandum is found in Appendix VIII of The High Level Investigation Committee into the Causes of Student Unrest in the Schools, op. cit.

2. The Addis Ababa Agreement on the Problem of the South Sudan, Protocols on Interim Agreements, Chapter II, Article 2.



marked by violence. The most serious one took place in Akobo, a district on the Sudan-Ethiopia border. A Northern group had been sent from Malakal to Akobo for integration. Factions within the Anya-Nya, hostile to the process, resisted on the grounds that the Northern troops had come to disarm the Southerners. They opened fire and seven soldiers died, mostly from the North. Among them was the Garrison Commander, Colonel Abel Chol, a Southerner who had risen through the ranks of the Sudanese Army and who was to supervise the troops integration there. He was shot when he tried to restore discipline.<sup>1</sup> Several of the Anya-Nya escaped with their weapons to Ethiopia and remained there. Others were arrested, tried for mutiny, and imprisoned or executed.<sup>2</sup>

The incident occurred at the same time as the third anniversary of the Addis Ababa Agreement and it caused some fear in the North, where the army was put in alert by the President for a few days.<sup>3</sup> This incident was widely interpreted in the South as a result of the limited resources in the South, coupled with the shortages of basic commodities, over-crowding in such towns as Juba, incompetent bureaucracy, and slow communications (which means that a consignment of food takes five weeks to reach the South from Port Sudan).<sup>4</sup> But the Army (Anya-Nya

1. A similar incident occurred in Bahr el Ghazal in 1976. On 17th February, Captain Alfred Aguet, a Dinka from Aliab (an ex-Anya-Nya fighter) deserted his command with 107 armed soldiers (most ex-Anya-Nya) and their families. Brigadier Emmanuel Abur Nhial (an ex-Anya-Nya Colonel), Commanding Officer of Southern troops in Bahr el Ghazal, and three other officers, proceeding without weapons or troops, met Alfred Aguet 70 miles west of Wau. While they were talking, Aguet opened fire, killing three of the officers, including Emmanuel Abur. Eighty-six of Aguet's soldiers returned to their barracks, but Aguet and the rest proceeded to the Central African Republic. Later that year Aguet was captured and returned to the South, where he stood trial and was finally executed. This incident is described in Nelson Kasfir, "Southern Sudanese Politics Since the Addis Ababa Agreement", African Affairs, footnote 16; however, most of it is based on personal knowledge.

2. Nelson Kasfir, op. cit., p.151; Economist Intelligence Unit, Quarterly Economic Review, Sudan, No I (1975), p.3.

3. Quarterly Economic Review..., op. cit., p.3.

4. Ibid.



included) never experienced such difficulties to my knowledge. Soldiers are among the well-fed groups in Sudanese society. However, the truth is that many Anya-Nya men were suspicious of the speedy measures by the North to absorb them into the old army within a short period.<sup>1</sup>

The second serious incident, on which law and order broke down, was the Juba Airport incident of 1977.

### The Juba Airport Incident of 1977:

On January 30th, the Security Forces received information that sabotage attempts were to be made against military installations at Juba, so the army, police and prison forces were put on alert.

The next day two civilians, a teacher and an accountant were arrested. On the same day, 28 soldiers were arrested, which brought the total arrest to 30 people.<sup>2</sup>

The actual mutiny started at 2.00 a.m. on February 2, and the group involved were 57 soldiers from the aircraft defence force based at Juba Airport, who gunned down eight of their colleagues who refused to join them, and took control of the airport.<sup>3</sup>

1. The Anya-Nya understood that this process was not to begin until 1977, five years after the Agreement. Instead, integration was carried out early and rapidly, during 1973-76, when most of these incidents occurred. Article One of the interim arrangements states that these arrangements "shall remain in force for a period of five years..."; while Article Two indicates that, "the recruitment and integration... be determined by a Joint Military Commission taking into account the need for initial separate deployment of troops with a view to achieve smooth integration in the national force. The commission shall ensure that this deployment shall be such that an atmosphere of peace and confidence shall prevail in the Southern Region". Chapter II, Temporary Arrangements of Units of the People's Armed Forces in the Southern Region, p.30.

2. Nile Mirror, Issue No.292, Saturday February 5, 1977, p.1.

3. Ibid.

Some members of this unit went to Juba prison to try to release Mr. Joseph Oduho and others, who were accused of being involved in the 1976 attempt to overthrow Numeiri, as well as 28 soldiers arrested earlier in the week. But they were driven away by the guards.

The same group went to Juba Hospital with the hope of finding Oduho there, but again they failed. Following this, they went back to the Airport, where they started shooting into the air to encourage others to rebel. Meanwhile, at the Army Headquarters, stores of ammunition were kept closed under tight security and a plan was made for a counter-attack when dawn broke.

This took place at six in the morning, when some 100 Saladin tank troop soldiers and two officers, armed with machine guns and automatic weapons, started their counter-attack from the Army Headquarters.<sup>1</sup>

Within three hours, the armed forces were able to take over the Airport, with the loss of one soldier dead and five injured. One of the mutineers was killed on the spot and the rest fled into the bush. Aside from an American pilot, three civilians were killed and damage was done to equipment of the Civil Aviation, including four fire brigade vehicles.<sup>2</sup>

The leader of the group, Paul Puk (a sergeant and a former Captain in the Anya-Nya) was arrested with others on the 5th of February at Mongalla, 20 miles north of Juba. Following their arrest, they were sent to the North, where they stayed until they were released under the Amnesty Law in 1978.

As in the case of students' riots of 1974, the HEC declared a

1. Sudanow, Vol.2, No.3, March 1977, p.21.

2. Ibid., p.22; it was during this operation that Mr. H. Bowman, an American pilot working for the African Committee for the Rehabilitation of the Southern Sudan (ACROSS), was shot. The pilot and a group of Swedish nurses were on their way to the airport to fly to Amadi, where they were working.



curfew in Juba from 5 p.m. to 6 a.m. for the whole month of February.

The objectives of the planners according to Regional authorities was to overthrow the Regional Government, and they accused the Northern politicians of having influenced the soldiers.<sup>1</sup>

These incidents were, however, specifically Southern, and related to the nature of the Addis Agreement.

The Juba Airport incident was led by an Anya-Nya, who was a Captain before the Agreement, but under the terms of absorption was made a sergeant. The Southern servicemen and students' violent reaction to Northern domination, is explained by their relative political consciousness compared to the "peasant" and rural population. The students have been active in Southern politics during the war and expected better conditions in their schools after the Agreement. But, as we have shown, no improvement took place.

### Conclusions:

As with other devolved/federal systems, the limitations on the PRA/HEC arise both from the legal extent of its powers - which are far short of regional autonomy - and from the central interaction between regional and national organs. This lack of powers, or ambiguity and overlap of powers, permits central authority, notably in economic fields, which is seen in the South as damaging, yet which the devolved institutions are unable to influence or prevent. Underpinning this has been the centralized and bureaucratic nature of the Sudanese political system,

1. Nile Mirror, op. cit., p.2; the actual reasons were that in July, 1976, the National Front led by Northern exile politicians and backed by Libya, captured the Radio Omdurman Station and some key spots in Khartoum. They fought the Sudan Army in Khartoum for two days, before they were defeated. Following this attempt, subsequent incidents were attributed to this group. For details see Ministry of Culture and Information, Gaadafi Day of Blood in the Sudan: The Events of July, 1976, (Khartoum, 1976).



in which the Presidency and the President's Office play a large role, both in the national and in Southern government and politics.

Where there is no ambiguity over the devolution of power, Southern institutions have been able to sustain their formal authority; but their ability to use it has been severely hampered by financial problems. These arise from a combination of a weak tax base, reflecting the Region's acute lack of development, tax evasion by both private and public individuals and the Sudan's own financial problems, which became acute during the mid-1970s. Thus, although the central government has made development funds available, and external aid has been forthcoming, the Southern Region has not fulfilled the promise and hopes of fairly rapid social and economic development associated with the Addis Agreement.

Overt discontent with the South's post-1972 relationship with Central Government has arisen more from these economic difficulties than from specific crises such as the border issue, or the general assessment of North-South relations. Thus, it has been largely restricted to those most directly affected by the contrast between promise and reality: the Southern politicians and administrators, the students, and the urban unemployed (especially the ex-Anya-Nya). Not until the 1980's has there been anything approaching mass public discontent. The absence of sustained mass pressure on Southern representatives weakens the ability of the South to resist limitations on the exercise of devolved power; while the lack of a threat to the centre of the breakdown of Southern political order, encourages the Presidency and other central institutions to act without regard for potential damage to Southern interests. This is shown more clearly by the contrast between the period covered in this chapter (1972-79) and the most recent period (discussed below), in which intervention has been more threatening but more effectively parried.



## CHAPTER VI

### THE SOUTH AS A POLITICAL ARENA AND THE DEVELOPMENT OF INTERNAL CONFLICTS

This chapter discusses the internal conflicts which developed after the establishment of the institutions of Devolution, as a result of intra-elite struggles for power and control of the Regional Government. This grouping pattern of factional competition coincided with growing Presidential intervention to undermine the integrity of Southern institutions and contributed to growing civil discontent and disorder in the South, at the end of the first decade of devolution.

From its inception, the Southern Regional Government was to some degree comparable, by virtue of both its structure and the problems it faced, to other systems of government in the newly independent states of Africa. The Region was underdeveloped and lacked both the economic and human resources to provide goods and services for the public. The Southern people were divided on an ethnic basis and lacked internal unity. However, under the Provisional Government, the leadership maintained harmony until the 1973 elections, when personal and group conflicts began to surface. Between 1974 and the second Assembly elections in 1977, the main division that showed itself was that between the leadership of the Assembly and the Executive. Several crises occurred during this period, notably the T.E.C.M.A. Affair and the Speaker's crisis; the Bol to Oduho letter; the £570,000 scandal; and the S.S.U. and the appointment of the Second Speaker crisis. All these crises are discussed at length by James Sulton in his recent dissertation, but as an illustration, let us describe briefly two incidents: and these are the TECMA Affair and the Speaker crisis, and the Bol to

Oduho letter incident.

### The TECMA Affair and Speaker's Crisis:

This crisis arose from the Regional Government's discharge of its modest development responsibilities to construct Juba Town roads. After the Agreement, the Regional authorities signed a contract with a certain company called TECMA. The official approval of this contract was signed by the Director of the Ministry of Finance and his counterpart in the Ministry of Communications. The company received £5164,000 from the Region, but, for eighteen months after the contract, the company did not build the roads in Juba.<sup>1</sup> This fact was brought to the Assembly's notice and, as a result, the Assembly formed a Committee to investigate TECMA. The finding of the Committee was that the Minister of Communications was involved in corrupt practices with the company, and it recommended that action be taken to reprimand him.

This recommendation was rejected by the President of the HEC, who requested the Speaker to form another committee to investigate the matter. When the Speaker communicated this request to the Assembly, the impression was that he was working with the HEC President to control affairs in the Assembly.<sup>2</sup> The Chairman of the Committee told the Assembly that he was in possession of documents, which proved that the Minister of Communications was involved in the affair, and that he would publish them in the newspapers.<sup>3</sup>

The Speaker and the Executive requested the Chairman to turn over any documents he had, but he refused. The Assembly be-

1. James Emile Sulton, Regional Autonomy in the Southern Sudan: A Study in Conflict Regulation (Unpublished Ph.D., John Hopkins University, 1980), p.323.

2. Ibid., p.324.

3. Ibid., p.326.



came suspicious of the role of the Speaker and the Executive in the affair and formed a new committee to investigate possible obstruction of the original Committee's work. The conclusion of this Committee was that there had been obstruction of the TECMA Affair Committee's work by the Speaker and the Executive.

A motion of no confidence in the Speaker was put to the Assembly, with the members dividing on it into 'Government' and 'Opposition' factions. Unlike the division on the education issue discussed in the Chapter V, the basis of the split was the familiar insider/outsider distinction and more incumbents and non-incumbents (though most of the latter are in practice also outsiders).

The Government requested the Speaker to delay discussion of both the motion and the Report of the Obstruction Committee for a week, but this was objected to by the Assembly and on May 22, 1975, with the Deputy Speaker (Benjamin Bol) chairing the Assembly, a motion was passed to close the debate on the Committee's report. The Assembly then accepted the report as it was given. This happened while the Speaker and the Ministers were in Khartoum attending a meeting of the Political Bureau, the Council of Ministers and the HEC.

Despite the appeal by the President of the HEC to the Assembly to revoke its decision to withdraw confidence from the Speaker, the Assembly insisted that neither the President nor any member of the HEC had the right to interfere with the work of the PRA.<sup>1</sup> All the efforts made to save the Speaker from removal failed and, in the final sitting of the fourth session of the PRA, it was announced that his seat would become vacant as from July 6, 1975.<sup>2</sup>

1. Sulton, op. cit., p.352.

2. Ibid., p.355.

The response of the President of the HEC to this successful challenge only served to widen the division between Executive and Legislative.

Following this announcement, the HEC was reshuffled and those Ministers, who had voted against the Speaker, were dropped. They included Joseph Oduho, Michael Tawil and Dr. Toby Maduot. Oduho and Tawil were outsiders, while Maduot was the only SANU-Deng member in the Cabinet. This broke the formula of representation of old political groupings, as was the case under the Provisional Government. Alier appointed Lubari Ramba (the old Speaker) as a Minister in the new Cabinet. This was not liked by the legislators and the public at large.

The breach between the leadership of the Assembly and the Executive, did not stop with this incident. This was followed by the Bol-Oduho letter affair.

#### The Bol-Oduho Letter:

During its sixth session, in 1976, the Assembly was informed by the President of the HEC that three of its members were under detention because of a letter written by one of them. Benjamin Bol Akok was alleged to have written that he intended to work with the people inside and outside the region to overthrow the Regional Government. The full text of the letter was as follows:

"Wau, 3rd Feb. 1976.

Dearest Uncle Joe Oduho,

Greetings and best regard to you and comrades. I arrived safely. Thanks. How are you? Hope you are O.K.

I have had some lengthy discussions with friends who are also con-



cerned. We have decided to agree on the following points:-

(a) Kapoeta, if possible should resist even twice any transfer to Aweil.

(b) Contacts with those outside.

(c) Communicate information to and from us to/from those outside.

(d) Some from societies to be spelled out immediately and preached here and abroad.

(e) Do not mind about any officers and men in the North; but must be informed.

(f) Basis shall be founded by those outside together with help of those inside.

(g) Some arms must be made to find their way into the bush immediately and persons to guard them stationed there.

(h) Training should start immediately.

(i) The Assembly to stretch up to the point of breakup or closure of the Assembly. This would capitulate things.

(j) **SOCIALIZATION SHOULD COMMENCE FORTHWITH.**

(k) Forces outside should spread to the three Provinces and start sabotage and in removal operation.

(l) Westerners and Nuba are friends to be trusted well and contacts with them be established. The situation is in full control in B.G.P. We await the match to spark it off.

(m) Ethiopia, Kenya, Tanzania, Uganda and Zaire to be contacted and immediately open up. International contacts are urgent.

(n) Complete start by June (July 1976). The work so far is praised and welcomed. I proposed to be seconded somehow to Tanzania on scholarship if possible. We need this link. Please complete your report and others quickly. Tell Malath so!

I am still in Wau and will proceed to Aweil soon to meet Kwach. Details later in case we meet there or else at the patrol point, for God and Country. Daw did not reply to my letter? Has it reached its destination?

Things are perfectly alright here.

I shall be there as soon as I finish with my marriage.

Thanks.

Yours ever at arms,

(signed)

Benjamin Bol"

Note to Mrs. Oduho:

Wau, 3rd Feb. 1976.

"Mrs. Agnes Oduho,

Greetings to you all from Bol. Find herein enclosed a letter to uncle horribly written. I want you to help Joe read it. It was so written on purpose. Read and tear. Thanks.

(signed)

Benjamin Bol"<sup>1</sup>

1. Sulton, op. cit., pp. 360-1.



After spending some time in prison, both Benjamin Bol and Joseph Oduho were brought to trial. The court found insufficient evidence against them and were set free. But this apparent attempt to coerce the Assembly members into relative silence only further divided the Executive and the Assembly into two hostile camps.

Like in the TECMA affair case, the Assembly set up a Committee to investigate the educational supplies scandal, involving misuse of £S.70,000.<sup>1</sup> The persons questioned on this matter by the Committee were the ousted Speaker and Oliver Albino, a member of the Assembly. The two were accused of squandering £S.90,000 during the Provisional Government, which was a donation by the United Nation High Commission for Refugees as an aid in the resettlement of the refugees, especially in the educational institutions. £S.20,000 of this amount was accounted for, but the remainder was thought to have been pocketed by the two members. This, too, divided the Assembly into Government and Opposition.

The other issue, on which the Assembly was divided into Opposition and Government, was the appointment of the second Speaker. Following the removal of the first Speaker, four candidates nominated themselves for the post. They were Hilary Paul Logali, Benjamin Bol, Joseph Oduho and Clement Mboro. However before the election, Major Abul Gassim, Deputy Secretary General of the S.S.U., came down to Juba from Khartoum to surprise the PRA that the nominee of the S.S.U. was Hilary Paul Logali. He told the Southern legislators that Logali was more qualified than the others and, as a result, they should withdraw their names from the nomination for the sake of party unity. This was not liked by the candidates and some of them walked out

1. Sulton, op. cit., p.364; Lubari Ramba was the Director of the Ministry of Education, and as a result was authorised to carry out purchase of school books and other materials, with that money. While Oliver Albino was a Consular Officer in the Sudanese Embassy in Kenya and was to help the Director of Education in this process in Kenya.

of the S.S.U. Centre where the meeting took place. However, Logali was elected the Speaker and it was seen as a victory for the Government.

These incidents were essentially confined within the PRA and HEC and so far were not ethnically oriented (only 'Government' and Opposition were divided on factional basis). Thus the Region went to the polls for the second time in 1978, with political leadership divided more than ever on issues of policy and positions.

### The 1978 Elections:

The 1978 elections followed the pattern of the 1973 ones, and the only addition was that the number of territorial constituencies were raised from 30 to 60 and the non-territorial from 30 to 50.<sup>1</sup>

1. The distribution of the 1978 election constituencies was as follows:

<u>I. Territorial Constituencies:</u>	<u>Number of Seats:</u>
a) Bahr el Ghazal Province	14
b) Eastern Equatoria Province	13
c) Upper Nile Province	10
d) Lakes Province	8
e) Jongeli Province	8
f) Western Equatoria	7
<u>II. Provincial Constituencies:</u>	
a) Workers Union	6
b) Women Union	6
c) Youths Union	6
d) Farmers Union	6
e) Local Government Units	6
<u>III. Bi-Provincial Constituencies:</u>	
a) Rural Development Committees	3
b) Parents and Teachers Councils	3
c) Cooperative Societies	3
d) National Capitalists	3
<u>IV. Regional Constituencies:</u>	
a) Teachers Union	2
b) Graduates Union	1
c) Technicians Union	1
a) Clerical Union	1
Total	<u>110</u>

Source: The Regional Assembly Election 1977/78 Specification of Names and Boundaries of Constituencies Order (Signed on 23 November, 1977), pp.1-12.



Other people thought that a new factor was introduced into the 1978 elections and that was the development of new groupings within the Region after 1973 and the establishment of the Assembly and the High Executive Council. In their opinion, these groups were perceived to be working unofficially under the leadership of Abel Alier, the outgoing President of the High Executive Council, and Joseph Lagu, former Anya-Nya leader and the then Commander of the Sudanese Army in the South. The group under Lagu was given the name of "Winds of Change", while the Abel Group was labelled "Status-quo" or continuity group. The meanings given to these terms "change" and "continuity" were that the first called for a change in the leadership under Abel Alier, while the second wanted to continue for another four years to complete its programmes. These slogans, in our opinion, did not contribute a lot to the elections of many candidates, although it was claimed by Lagu that his groups, who subsequently elected him President of the High Executive Council, were all members of "winds of change".<sup>1</sup> However, the success of those he claimed to be his supporters, or supporters of Abel Alier, was based on local issues. Four years of a government life in a backward area like the South was enough to cost some incumbents their positions, either in the Assembly or the Executive. Besides, since the Agreement, no major development took place in the Region due to lack of funds. To prove that local issues were more important in those elections than loyalty to specific leaders, let us examine a few constituencies, in which prominent incumbents attempted to retain their seats. These constituencies are Juba West, Wau West, and Bor Centre.

Juba West was comprised of Juba rural council and Juba Town. In the rural areas, the major ethnic groups are Bari, Nyanguara and Dinka Bor. In the town, several ethnic groups are present because Juba is the capital of the Region.

1. Sudanow, April, 1978, p.10.



Four candidates contested the constituency: three Baris and one Lokoya, whose father was originally a Nyanguara but moved to Lokoyaland, where he became a chief. The results of the constituency are shown in the Table on the following page.

The winner was Dr. Pacifico Lado, who obtained 42% of the votes, while the incumbent Hilary Paul Logali, a Bari, got 38%. This result was contrary to what was expected, because of the predominance of the Bari, but it appears that other ethnic groups in urban areas voted for Dr. Pacifico. He also obtained high votes in Nyanguara villages like Wundruba, Rokon and Tigor.

On the other hand, Logali did well in the predominantly Bari sectors of the urban areas, like Hay el Mayo, Malakia Club and Reformatory. In the rural areas, he led in Rejab West, Kag Wada and Jebel Lado, which were mainly inhabited by the Baris. The other two Baris led in their respective villages, as shown in Table VI:1. In short, sectional voting did occur, as in the 1973 elections.

In Wau West, by contrast, Clement Mboro retained his seat, where he polled 70% of the votes cast, while his main rival got only 22%.<sup>1</sup> His success could be attributed both to the factors which brought him the seat initially, together with his ability to ensure government spending in the constituency, arising from his position as Chairman of the R.R.R.C.

In Bor Centre, the incumbent Mading de Garang, the former Minister of Rural Development lost his seat. His defeat was attributed to his failure to open schools and ensure the provision of other social services he had promised the electorate in 1973.

1. Bahr el Ghazal Province, Final Report, National and Regional Assembly Elections 1977/78, ELECT/BGP/I.C.I., dated Wau, 1st. April, 1978, p.18.



TABLE VI:1: JUBA WEST CONSTITUENCY: 1978 ELECTION RESULT

Category	Polling Station	Dr. Pacifico Lado (Lokoya/Nyanguara)	Hilary Paul Logali (Bari)	Bullen Lago (Bari)	John Targon (Bari)
URBAN STATIONS	Cassaba Malakia	392	109	22	12
	S.S.U. Centre	1449	871	199	135
	Atalla Bara Primary School	156	115	42	35
	Juba Commercial	263	142	17	35
	Mudiria	36	20	7	1
	Hay el Cinema	105	74	6	6
	Buluk Primary School	175	99	23	21
	Hay el Mayo	186	406	27	27
	Malakia Club	182	265	102	36
	Reformatory	132	230	17	66
	Army (Giada)	562	517	76	63
	Kator B. Cuort	138	53	14	9
	Atalla Bara Boys Primary School	78	38	5	9
RURAL STATIONS	Tulyang Village	65	74	532	40
	Rejab West	16	415	10	47
	Wundruba Village	838	133	124	13
	Kag Wada Village	81	920	13	9
	Jebel Lado Area	100	691	37	188
	Rokon	473	87	84	38
	Tigor	484	142	171	28
	Koda	286	232	37	657
	<b>Total</b>	<b>6,197 (42%)</b>	<b>5,633 (38%)</b>	<b>1,565 (10%)</b>	<b>1,475 (10%)</b>

Source: The Democratic Republic of the Sudan, Southern Region, Eastern Equatoria Province, File No. E.E.P./1.A.5/17.

The ethnic composition of the second Assembly was similar to that of the first, with the Dinka as the largest, but not the predominant, group (as a composition of the table below with those on pages 138 and 143 show):

TABLE VI:2  
SECOND ASSEMBLY BY ETHNIC GROUP

<u>Ethnic Group</u>	<u>Number of Members</u>	<u>%</u>
Dinka	40	36
Nuer	17	15
Zande	10	9
Others	<u>43</u>	<u>39</u>
Total	<u>110</u>	<u>100%</u>

Source: Author's own construction from the list of the elected members to the Assembly in 1978.

The Second Assembly's first task was the election of the Speaker and of the President of the High Executive Council. Clement Mboro was elected Speaker, while for the Presidency, two candidates were nominated: the incumbent President, Abel Alier, and the challenger, Joseph Lagu. However, Abel Alier was asked by President Numeiri to step down in favour of Lagu, so that Regional unity could be maintained. Joseph Lagu was the elected President of the HEC, with the understanding that he would include in his Cabinet supporters of Abel Alier, thus following the pattern of representation of major factions in the HEC, that existed in the 1973-77 period, but which Abel Alier had himself undermined in the aftermath of the Speaker's crisis. When the new Cabinet was announced in February, 1978, it did not, however, include any members from among Abel Alier's supporters. Instead the appointments included politicians like Samuel Aru Bol (who was a Minister under Alier, but was dropped over political disagreements), Benjamin Bol and Joseph Oduho (who were imprisoned because of the letter from Bol to



Oduho). Furthermore, while there were Dinka Ministers, the representation of minority ethnic groups had been deliberately increased at the expense of Dinka representation. Thus it was evident that the Cabinet was selected very largely on factional and ethnic lines.

The overt factional competition and communal divisions of the new PRA were reflected in (though they did not cause) the prolonged student unrest, which began some two months after the formation of the new government.

### The Students' Unrest:

Immediately after the formation of the HEC, the Regional Ministry of Education was advised by headmasters and others, that it was likely that there would be disturbances in the Southern schools early in the new school year. The precise cause of these expected troubles were not clear, although student discontent over North/South relations, especially the oil discovery, was apparent. As a result, the Minister of Education formed a committee to investigate these rumours. However, before the committee started its work, disturbances occurred in some schools in September and October. This prompted the PRA to form a further two committees.

The first committee was to tour the Senior Educational Institutions to 'enlighten' the students on the problem of the North/South relations with emphasis on the alleged creation of a unity province to include Bentiu Rural Council, and the problems relating to the location of the oil refinery.

The second committee: a Fact Finding Select Committee, was to investigate into the disturbances that had taken place among the students of Malakal Boys Senior Secondary School in October 1978.<sup>1</sup>

1. The Democratic Republic of the Sudan, Second People's Regional Assembly (cont'd)..

However, aside from this incident, students were also involved in fighting among themselves in Juba Commercial Senior Secondary School; Bor Junior and Kangor Junior Secondary Schools; Buluk Junior Secondary School; and Rumbek Senior Secondary School at various times. What precipitated these episodes?

(A) Malakal Senior Secondary School

This school is one of the few Senior Secondary Schools in the Region. It was opened in the buildings which were intended for a technical school. The school was supposed to accomodate five hundred boys only, but due to the fact that the then newly-announced (but not yet opened) Malek Senior Secondary School boys were incorporated into this number, the population of students in the school rose to 800.<sup>1</sup> This created problems of accommodation in the dormitories, congestion in the classrooms and even shortages in food supplies. Despite this grave situation, the students did not fight the school administration or among themselves. The troubles began, however, when the Minister of Education visited Malakal on 15th September, 1978. While in town, the Minister informed the Director of the school that he would visit the school on Monday. This was communicated to the students in order to prepare themselves to meet the Minister on that day. But the Minister decided to visit the school on Sunday, a day before the scheduled date. The Minister was accompanied by the Province Commissioner. When they arrived in the school they found only about forty boys because the rest had gone to the town to see their relatives and friends. Those found in the school were not ready to receive the Minister, but he insisted on meeting them.

While talking to the students, the Minister asked how far they

(Cont'd):... Southern Region, Report of the Facts Finding Select Committee on Disturbances in Malakal Boys Senior Secondary School, (Juba: October, 1978), p.2.

1. Ibid., p.3.



were disciplined. He added that,

"Malakal Boys Senior Secondary School is notorious for indiscipline and as a centre of political troubles. If this situation repeats itself, I could destroy this school and start from zero. After all we had seventeen years of war without education."<sup>1</sup>

These remarks invited a hostile reaction from the students, who had believed that the purpose of the visit was to find out their problems and give suggestions for possible solutions. Instead the Minister came to insult them. The Minister ordered the immediate dismissal of one Ajak Acuek, a Dinka (who asked the Minister to visit their school on a working day), and the suspension of eleven boys, whom the Minister singled out from the group as the trouble makers.<sup>2</sup> This abrupt action by the Minister (a Shilluk) sparked off tribal sentiments in the school, because all those boys who received such severe punishments were Dinka. The school administration could not reverse the Minister's decision and they only advised the Student Affairs Body to appeal through the Commissioner to the Minister, which they did without success.

The other factor, which precipitated troubles in the same school was the composition and election of the School Food Committee. Once the school was opened, each house was asked to send a representative to the Food Committee. The elections for this Committee were held, and the Dinka boys did not win. The positions of Chairman and Secretary of the Committee then went to non-Dinka. These elections, according to some observers, created again the atmosphere of suspicion and bitterness and are thought to have invited slogans such as: "a Dinka is born to

1. Report of the Facts Finding..., op. cit., p.5. The background to this remark is that schools functioning on the Arabic pattern of education, like Malakal, are considered by Regional Authorities as lacking discipline, as well as the fact that students in such schools are seen as Northern and Arab-thinking (or Northern "brainwash")

2. Ibid., p.5.



rule and not to be ruled", and "a donkey cannot ride a camel", which appeared on the notice boards.<sup>1</sup>

At the same time, edible oil disappeared in the market and the school contractor decided to use cash in purchasing local semin (oil) from the villagers. There were complaints from the students of the manner £S.10.80, given to the Chairman of the Food Committee daily, was used.<sup>2</sup> The students suspected misuse of this money by the Chairman, who was a Shilluk, and demanded the dissolution of the Committee and the election of new members. It was over this issue that a quarrel developed between the Chairman of the Committee, Otwel Akot, and Abel Manyok, a Dinka and leader of the dissatisfied group. During the meeting of the Committee to discuss the misuse of money, the two leaders quarrelled and the meeting dispersed without conclusion. Otwel Akot went to his Shilluk group and told them that he was being victimized by the Dinka boys and asked for their backing in the fight. On the other hand, Abel Manyok went to his Dinka group and asked for their support against the Shilluk oppression. He reminded them that the Shilluk, whose Minister of Education dismissed their "brother", Ajak Acuek, and suspended eleven of the Dinka boys, were now ready to fight them.

On 11th October, 1978, the fight broke out between Shilluk and Dinka boys in the school. In the fight three boys only sustained injuries before the army was called in to suppress the fight.

The reaction of the Security Committee, the officials and citizens to this fight varied. At the time, there was distrust among the top hierarchy of the Province Security. The Dinka and Shilluk in the hierarchy, were suspicious of each other.

1. Report of the Facts Finding..., op. cit., p.6.

2. Ibid.



For example, the Commissioner, who was Shilluk, could not discount the rumours that the Shilluk boys were disarmed intentionally by the Dinka officer and that pistols and hand grenades could have been smuggled into the school campus by the Dinka officers. On the other hand, the Commandant of Police, a Dinka, could not discount the allegations that sticks and spears were taken to the school with the help of a Shilluk teacher, and that the Shilluk were out and prepared in the town to fight the Dinka. The Commissioner further accused the Police of being biased against the Shilluk boys during the fight, while the Dinka accused him of having taken sides during the fight, by wearing a "Lawa" (a Shilluk traditional dress worn during a fight), and interference with the Police operation and arrest of Shilluk boys. This was the attitude of the top security officials in the province.<sup>1</sup>

The reaction of other officials and citizens, who gave evidence to the Committee varied, but most thought that the fact the Minister, the Commissioner, the Assistant Commissioner for Education in the province, and some heads of Departments were all Shilluk might have irritated the members of the non-Shilluk and made them feel that there was a Shilluk domination in the province.<sup>2</sup> However, the Committee found out that the following factors precipitated tribal sentiments, which led to the unrest among the students: (1) overcrowding of the school; (2) the early arrival of the Minister; (3) the nature of the dismissal of one student and suspension of another 11 who were all Dinka.<sup>3</sup> The Committee dismissed the assumption that the unrest in the school was connected with the Bentiu oil issue, or the allegation that some politicians, who lost the 1978 elections, were behind the fight.

1. Report of the Facts Finding..., op. cit., pp.6-7.

2. Ibid., p.7.

3. Ibid., pp.8-9.

(B) Juba Commercial Senior Secondary School Incident:

During the 1978 election campaign, Dinka boys and boys from Eastern and Western Equatoria fought over the leadership of the S.S.U. Youth Union in the school. The result of the election gave Eastern and Western Equatoria the lead over Dinka students, who felt that they were under-represented and refused to attend classes. When the Director of the school failed to convince them, he decided to dissolve the Union. This was not welcomed by the students from Eastern and Western Equatoria and created the crisis in the school, which resulted in a fight between a Bari and a Dinka student. The fight eventually involved the whole school, along tribal lines, i.e. Dinka versus a combination of students from Eastern and Western Equatoria.<sup>1</sup>

(C) Rumbek Senior Secondary School Incident:

According to the Director of Rumbek Senior Secondary School, his Deputy and some members of the teaching staff in the school,

"Regional politics before and after the elections of 1978 were largely instrumental in causing a split in the school, which split later ended up in a tribal fight between the Dinka and the combination of students from Eastern and Western Equatoria."<sup>2</sup>

The recently appointed Director of the school was a Moru from Mundri in Western Equatoria, while his Deputy ( a teacher of long-standing in the school) was a Dinka from Yirol in Lakes Province. For unexplained reasons the Director was identified with the Lagu Government, while his Deputy was alleged to be a supporter of the previous Government. The students were split with the Dinka boys supporting the Deputy Director and the

1. The Democratic Republic of the Sudan, Southern Region, The High Level Investigation Committee into the Causes of Student Unrest in the Schools, (Juba: 1979), p.4.

2. Ibid., p.9.



"Equatorians" supporting the Director. When the new Director arrived in Rumbek on 27th September, 1978, it is reported that the Dinka students gathered as a group and shouted him down.<sup>1</sup> The students from Equatoria reacted angrily and became hostile to the Deputy Director. However, what precipitated the fight was the elections to the English and Cultural Society in the school. Although there are several other societies in the school, this is the most important, because it receives all the important guests to the school, looks after the funds donated to the school for student affairs, and all speeches are delivered by the members of this society. In short, it performs the functions of the S.S.U. students body as well as those of the students union. It is because of all these functions, that this society became important in student politics.

Although usually elections of this society take place at the beginning of the academic year, in 1978 the elections were held on the 30th October, 1978. During the elections, students from Eastern and Western Equatoria discovered that many of them were not registered and could not vote. As a result, they boycotted the elections and accused the Dinka boys of conspiracy to continue domination of the society. Insults were exchanged and, at night, a fight took place between the Dinka boys on one side, and boys from Eastern Equatoria and Western Equatoria Provinces on the other. Some students received serious injuries, when the fight resumed on the morning of 2nd November, 1978. Subsequent to this fight, the students from Eastern and Western Equatoria demanded their immediate transportation to their homes since, they alleged, the Dinka population around the town had joined the fight against them. They were transported to their homes and the school was closed. A massive destruction was done to property.<sup>2</sup>

1. The High Level Investigation..., op. cit., p.9.

2. Ibid.



(D) Buluk Junior Secondary School (Juba) Fight:

This school witnessed several tribal fights amongst the students prior to the 1978 elections. However, the 1978 conflict centred around the formation of the food committee. The former committee had four Dinka boys and three from Equatoria. The students themselves dissolved this committee, and were in the process of forming a new one. But the Director appointed an interim Committee pending the elections of the new one. Two Dinka boys and two Equatorian boys were selected. But, due to some disagreement, the two Dinka boys resigned their position, which was not accepted by the school authorities. Accusations and counter-accusations of corrupt practices and tribal politics were raised. It was alleged by some teachers that boys from Upper Nile and Jongeli Provinces were creating chaos in the school. The students from the two provinces, on the other hand, thought that some teachers in the school were conspiring to beat them, along with the students from Equatoria.<sup>1</sup> Following these accusations, the Police were alerted and they conducted an investigation in the school, which uncovered an assortment of instruments which could be used as weapons (i.e. sticks, iron bars, bows and arrows, spears and stones). The next day, following the search, a fight broke out between Dinka boys and boys from Eastern Equatoria.

(E) Bor Junior and Kongor Junior Secondary School Incident:

These two schools are situated in Bor Town. Kongor Junior had about fifty students from Bor South, while the majority came from Bor North (Twic). Bor Junior had a majority from Bor South, while the minority are from Twic. The fights which took place in the two schools divided the children in a predominantly Bor versus Twic alignment, with the exception of pupils from Makwac, a portion of Bor South which opted to fight with the

1. The High Level Investigation..., op. cit., p.8.



Twic against Bor South. The immediate cause of the fight here relates directly to the leadership of the food committee. The first committee was dominated by Twic, which was not liked by the students. A fight broke out between the two groups in which twenty six students were injured.<sup>1</sup>

Following these fights, the HEC Council formed its own Committee, chaired by the Minister of Education, who was accused of having a hand in the Malakal Dinka-Shilluk fight.<sup>2</sup> The committee submitted its report on 17th February, 1979, and produced findings, which disagreed with those of the Assembly's Committee and which directly linked the disturbances to factional and ethnic competition within the Assembly and HEC. The findings were:

"a) that the disturbances in the schools resulted directly from the last elections and the subsequent change of political administration in the South.

The bitterness and disappointment on the part of the losers led them directly or indirectly to create instability through the agency of the student group in schools.

b) It is observed that the Bor South students were a common and instrumental factor throughout the school disturbances. It is also to be observed that the former administration in the Southern Region was under the leadership of the H.E. Abel Alier Vice-President of the Republic who himself is a member of the Bor South Section. The Committee hereby sees a direct connection between the conduct of the Bor students and the references to Biafra and "the Dinka Plan" as revealed by Ruben Mac and the rebuke of Lt. Col. Elijah Manyok by Abdel Fadil Agot and James Ajith both from Bor.

c) the Committee sees great similarity between matters relating to Jongeli Canal Projects riots and the Bentiu oil administrations. In cases when the

1. The High Level Investigation..., op. cit., p.7.

2. Ibid., p.1; the other members were Mading de Garang, Secretary for Ideology and Orientation Regional Secretariat of S.S.U.; Philip Yona Jambi, Leader of the Second People's Regional Assembly; Elia Duang Arop, Secretary for Development and Services, Regional Secretariat of S.S.U.; Dr. Abu Rahman Abu Zayed, Vice-Chancellor, University of Juba; and Brigadier Paul Samuel of Police.



"public lived on rumours and no concrete facts, the secrecy surrounding matters of great National interest to the people easily gives rise to idle and wild speculations.

d) the Committee observed that in all areas of these students disturbances the ultimate aim of the agitators was to spread the unrest to involve the masses to make the whole thing assume the nature of an overall instability in the whole Region.

e) the Committee further observes that the problems of overcrowding, lack of facilities and non-competitive acceptance of academically poor students in the schools provide fertile ground for subversive elements to agitate the students."<sup>1</sup>

The Assembly's Committee did not link the unrest to any political group, but here Bor students and Abel Alier are seen as having engaged in subversive activities against the Lagu administration.

One may doubt this interpretation (or accusation), since throughout his terms as President of the HEC, Abel Alier never identified himself as a local politician from Bor. Since the Agreement he did not contest in any constituency in the area. Given this fact, it is strange that Bor students should subvert the Lagu Government in order to bring back Abel Alier. The Assembly's reasons are reasonable, although the basic reasons for students' discontent were, once again, specifically linked to conditions in the schools: (a) issues of North/South relations were involved (as they had been with the earlier student riots discussed in Chapter V); (b) the schools conflicts were articulated in ethnic and/or factional terms; and (c) the response of the Lagu administration was entirely in terms of ethnic and factional intrigue. Thus intrigue intensifies in the 1978-79 period, starting with the struggle for the HEC posts.

1. The High Level Investigation..., op. cit., pp.14-15.



### The Struggle for the HEC Posts:

From 1973 to 1977, competition for top positions in the Executive were not on a 'winner takes all' basis, because of the trend set during the PHEC, in which the old Southern political groupings were all represented, as we have shown in Chapter IV. But under Lagu, Abel's Southern Front faction was not represented and vigorous opposition within the PRA forced Lagu to reshuffle his Cabinet in February 1979. In explaining why he did so, he stated that it was to bring in people through whom an end could be brought to the recent division of the South.<sup>1</sup> However, those Ministers he dropped promptly formed an opposition faction in the Assembly.

In June 1979, a number of them, led by Samuel Aru Bol, introduced a motion in the Assembly calling for Lagu's impeachment. Following the reshuffle, rumours spread in Juba that Lagu had deposited \$1.5 million in a Kenyan Bank and that his multi-storey house in Juba, then under construction, was being financed with government money.<sup>2</sup> This motion was discussed by the S.S.U. group in the PRA and they rejected it by 67 to 39 votes.<sup>3</sup> However, rumours persisted that Lagu did cash the money and deposited it in his wife's bank account in Kenya.

In July, Lagu denied the allegations. He said that he started to build his house, when he was still in the army, and that he had financed it through a loan from the Sudan Investment Bank and Bashir Numeiri and other Northern merchants in Juba. In regard to his supposed foreign bank account, Lagu said: "Let the people saying these things produce the name of the Bank and the number of the account". He added that "if I had an account outside the country the Bank of the Sudan would

1. Sudanow, April, 1979, p.11.

2. Sudanow, August, 1979, p.17.

3. Ibid.

know."<sup>1</sup>

Despite his denial of these allegations, some members of his Cabinet were not convinced and sided with those who wanted Lagu impeached. They included Ezekiel M. Kodi, Regional Minister of Cooperation, Commerce and Supply; Arthur Akwien, Regional Minister of Agriculture and Natural Resources; and Mr. Simon Mori Didumo, Regional Minister for High Executive Affairs. Because of their stand on this issue, they were dropped in a second reshuffle only six months after the first, in July 1979.

In explaining why he dropped them Lagu said,

"Ezekiel started to oppose me following the February reshuffle... I did nothing hoping that Kodi would see sense. But he joined the ranks of my enemies - he never saw sense."<sup>2</sup>

Lagu proceeded to say:

"As for Simon Mori he is a cunning fellow. In Abel's Government he opposed the government; in my government he opposed me. What do you do with such sick people."<sup>3</sup>

Talking about Arthur Akwien, Lagu remarked,

"I am afraid I found Arthur Akwien politically un-useful. He could not win me any friends - in fact he gave shelter to my enemies. Even during the February swearing-in, he hid in Aldo Ajo's house for two days."<sup>4</sup>

Lagu also changed the S.S.U. Regional Secretariat, and appoint-

1. Sudanow, August, 1979, p.17.

2. Ibid.

3. Ibid.

4. Ibid.



ed new Secretaries, on the grounds that the S.S.U. had a lot of people who were disloyal to him.<sup>1</sup> Mr. Lagu, in an apparent continuation of the purge of his "enemies", then changed the entire leadership of the Regional Assembly. At an extraordinary meeting of the Assembly, chaired by himself, the Speaker, his Deputy and the Controller of the Assembly were all voted out and in their places new members were appointed.

In a subsequent speech to the S.S.U. members, Mr. Lagu accused the deposed Speaker of helping to spread the rumours about his alleged financial mismanagement. He asserted that the origin of those lies was the Speaker himself.<sup>2</sup> Those dropped in the July reshuffle together with the displaced leadership of the PRA and the S.S.U. Regional Secretariat, strengthened the opposition faction. Lagu further weakened his position by arresting one of his political opponents, Samuel Aru Bol, on the charge that Aru had written a letter to Sadiq el Mahdi, in which he stated that the signatories to the Addis Ababa Agreement - Numeiri, Abel Alier and Joseph Lagu - were now working against it. Lagu further stated that Aru wanted to topple his government "if not democratically then by any other means should that fail".<sup>3</sup> According to Lagu, copies of this letter were found in Aru's pocket and others in his dustbin. Aru underwent investigation but insufficient evidence was found so he was released.

In October, 1979, the persons removed from the leadership of the Regional Assembly complained to President Numeiri that it was unconstitutional for Lagu to have called a meeting of the Assembly, without the permission and approval of the Speaker or his deputy. They also argued that Lagu had no right to chair the meeting in question.<sup>4</sup>

1. Sudanow, August, 1979, p.18.

2. Ibid.

3. Sudanow, August, 1979, op. cit., p.17.

4. Africa, No. 105, op. cit., p.55; Lagu supporters, on the other hand,.. (cont'd)



A Committee was formed, under the chairmanship of Dr. Awn al-Sharif Gasim, Leader of the National Assembly, and membership of Dr. Abdel Hamid Salih, Controller of the National Assembly and Zeinel-Abdin Mohamed Abdel Gaadir, one of the officers who planned the 1969 Coup. This Committee reported to the President that the Constitution did not give direction on the issue. The Committee also recommended that either the old leaders were returned or the Assembly itself dissolved.<sup>1</sup> Lagu is reported to have opted for the dissolution of the Assembly. Following this, both the National and Regional Assemblies were dissolved on February 5, 1980.

Lagu was appointed caretaker President of the High Executive Council. His task was to run the elections for the third Assembly, however, he declined the offer and his Vice-President, Peter Gatkuoth, was appointed interim President. The caretaker Government ran elections in April. Because the Assembly was only one year old when it was dismissed, most members were returned to the third Assembly. The only addition was that Dinka representation now increased to almost half of the Assembly, presumably due to increased ethnic voting in areas with Dinka majorities, or pluralities, especially in the large non-territorial constituencies. By ethnic representation the third Assembly was as shown below:

TABLE VI:3

<u>Ethnic Group</u>	<u>Representation</u>	<u>%</u>
Dinka	55	47
Nuer	12	10
Zande	12	10
Others	<u>37</u>	<u>32</u>
Total	<u>116</u>	<u>99%</u>

Source: Author's own construction based on the list of the successful candidates in the 1980 elections.

(Cont'd): argued that since the President of the HEC chaired the meeting which elected the Speaker during the first meeting of the Assembly, he could chair this meeting which removed the Speaker and other officers of the Assembly. However, the Speaker's approval should have been sought.



As with previous Assemblies, the third PRA's first task was to elect the Speaker and the President of the HEC. There was no problem in electing the Speaker; however, it faced high competition over the Presidency of the HEC. The list of contenders included Abel Alier, Hilary Logali, Joseph Lagu, Samuel Aru Bol and Peter Gatkuoth - in previous contests, there had been at most two candidates; the large number in 1980 reflects the increasingly factional basis of the political competition within the Assembly.

Hilary Logali had hoped that, in a situation in which neither Alier nor Lagu would be acceptable to the Assembly, he could be picked up as the substitute. However, this did not happen because Alier was a serious contender for the post. Besides, as a Minister of Finance and Economic Planning and a Speaker of the Regional Assembly in Alier's time, Logali was not expected to be very different from Alier, and he lacked the broad political base the latter welded for himself during his previous six-year period of administration. On the basis of these considerations, Mr. Logali withdrew his candidature in favour of Alier. Peter Gatkuoth also did likewise, because he too served under Alier as Commissioner of Upper Nile and, later, as Minister of Finance in 1975. Thus the number of contenders was reduced to three: namely, Alier, Lagu and Aru. But Aru, like Lagu, was accused of corruption: in his case, of pocketing £E30,000 meant for flood victims.<sup>1</sup> The first committee formed to investigate this allegation found Aru innocent, but a second committee, looking into the same allegations, reversed the first committee's decision and declared that Aru was guilty of the charge. Although no verdict was given by any court on this issue, it was feared by his faction that these allegations might reduce greatly his chances of winning wide support. However, two days before the elections, the support for each candidate in the Assembly was assessed as follows: Aru: 42; Abel: 32; Lagu:

1. Africa, No.108, April 1980, p.38.



16; and Logali: 6.<sup>1</sup> When Lagu realized that he could not win the seat with 16 votes, he supported Aru in an attempt to block Alier. It is alleged that Lagu became convinced that Alier was responsible for his downfall as the President of the HEC. However, his supporters realized that, whether it was Aru or Alier who succeeded, it would not be easy for them. As a result, they supported Alier and, when the vote was taken, Alier won by 67 votes to 35 for Aru.

In June, Alier formed his Cabinet, in which he seems to have attempted to contain, rather than continue, factional competition. The selection of Ministers was based on: a) maintenance of tribal balance as reflected in the composition of the Assembly; b) giving experience weight against new recruits; c) inclusion of opponents; and d) reward of supporters. Thus, the Nuer and Zande, with the second largest numbers in the Assembly, received three of the 16 ministerial posts. Other relevant tribal groupings received ministerial posts.<sup>2</sup>

Peter Gatkuoth and Hilary Logali, who had withdrawn in favour of Alier, were appointed Ministers. The former was made Vice-President of the HEC and Minister of Finance; while the latter was appointed Regional Minister of Administration, Police and Prisons, both key posts. Apart from their experience as Ministers, Peter Gatkuoth and Hilary Logali are important political leaders in the Nuer and Bari-speaking areas and, thus, their appointments were vital for 'tribal balance'. On the other hand, ethnic groups in Torit District were represented by Gama Hassan, while the Zandes were represented by Samuel Abujohn. Joseph Oduho was made a Minister, as a gesture of including old "enemies". The appointment of young people like Martin Majir and Zacharia Bol Deng was seen as the infusion of a new talent into the Government.

1. Africa, No.108, op. cit., p.39.

2. Ibid., p.38.



Given the composition of the new Cabinet, it was thought that the struggle for the Executive posts in the Region would be eliminated, but it soon became clear that certain key Lagu supporters were not represented and had been allocated very minor posts. This prompted these supporters to set up an opposition in the Assembly to the Government. The group, mainly from Equatoria, advocated, together with Lagu, the division of the South into more regions to match the North, which was divided into five in 1980. This issue came to dominate Southern politics in the early 1980s, threatening as it did the initial elimination of the new Southern institutions.

#### Decentralisation and the Division of the South into more Regions:

Under the 1980 Regional Government Act, Northern Sudan was divided into five Regions (Northern, Eastern, Central, Kordofan and Darfur), with Khartoum Province as a National Region. The full regional structure is shown in the diagram on page 228.

The initial moves towards decentralisation in the North came in 1979, when President Numeiri made a series of Presidential decrees, which were to reshape government powers and structure through the devolution of authority to Provincial Councils. At this stage, the Southern Region was to remain one; but during the S.S.U. Central Committee meeting in 1981, this was questioned by President Numeiri, who stated:

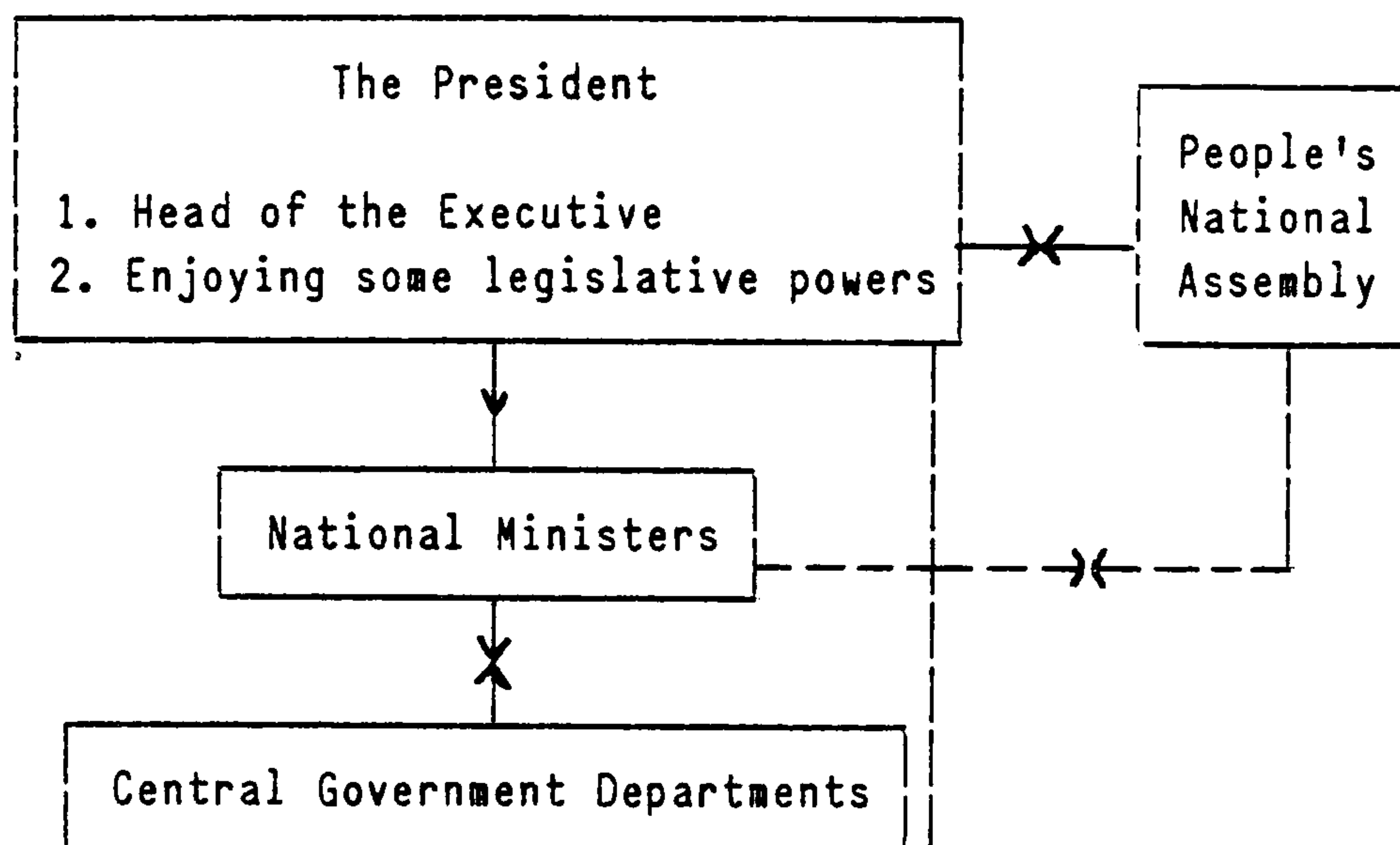
"The South has led the Sudan successfully on the path to regionalisation. Now that devolution of powers has become a reality in the North, which now has five regions, is it not time that we consider the possibility of devolving administration in the South itself?"<sup>1</sup>

The President claimed the advantages of this suggestion were:

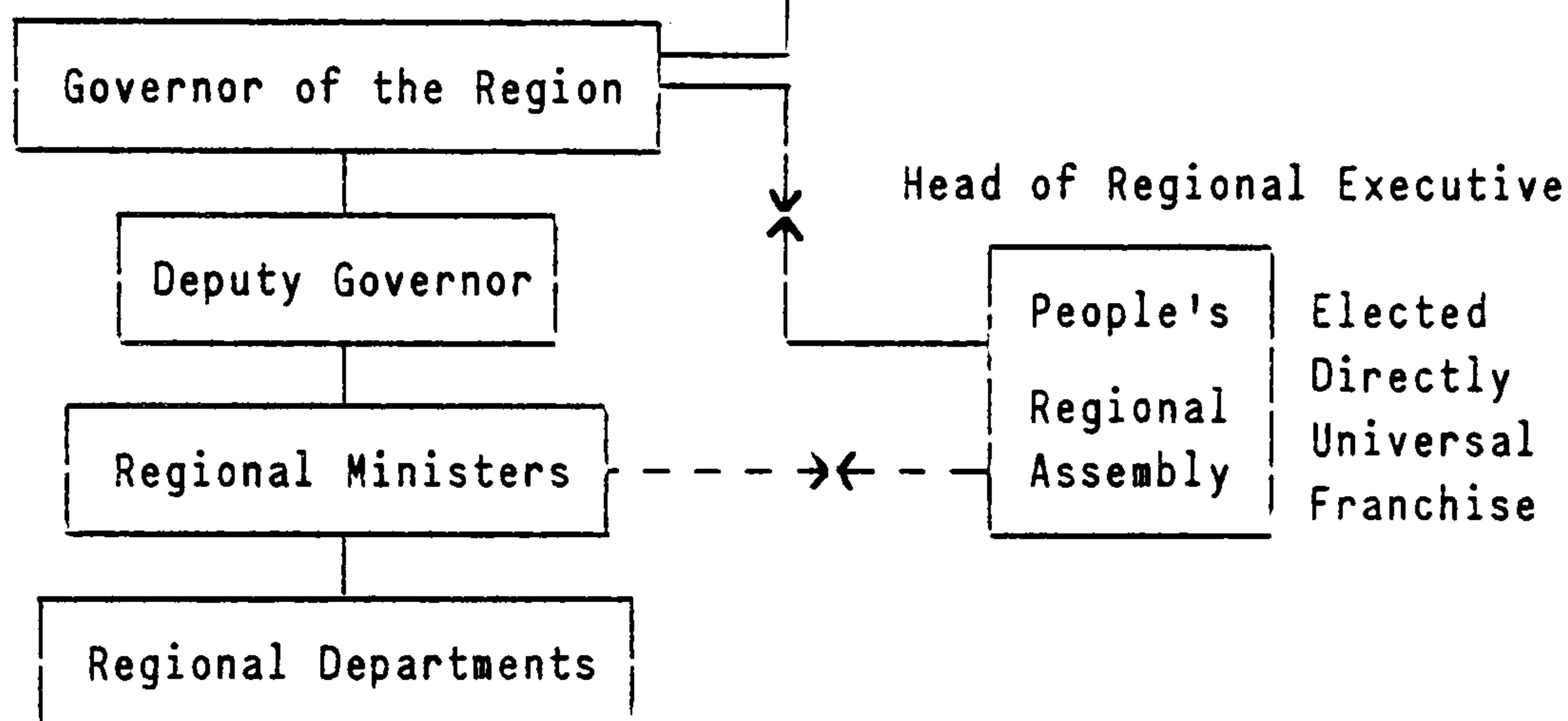
1. Sudanow, April 1981, p.16.

# THE STRUCTURE OF THE DECENTRALISED GOVERNMENT IN THE SUDAN 1981

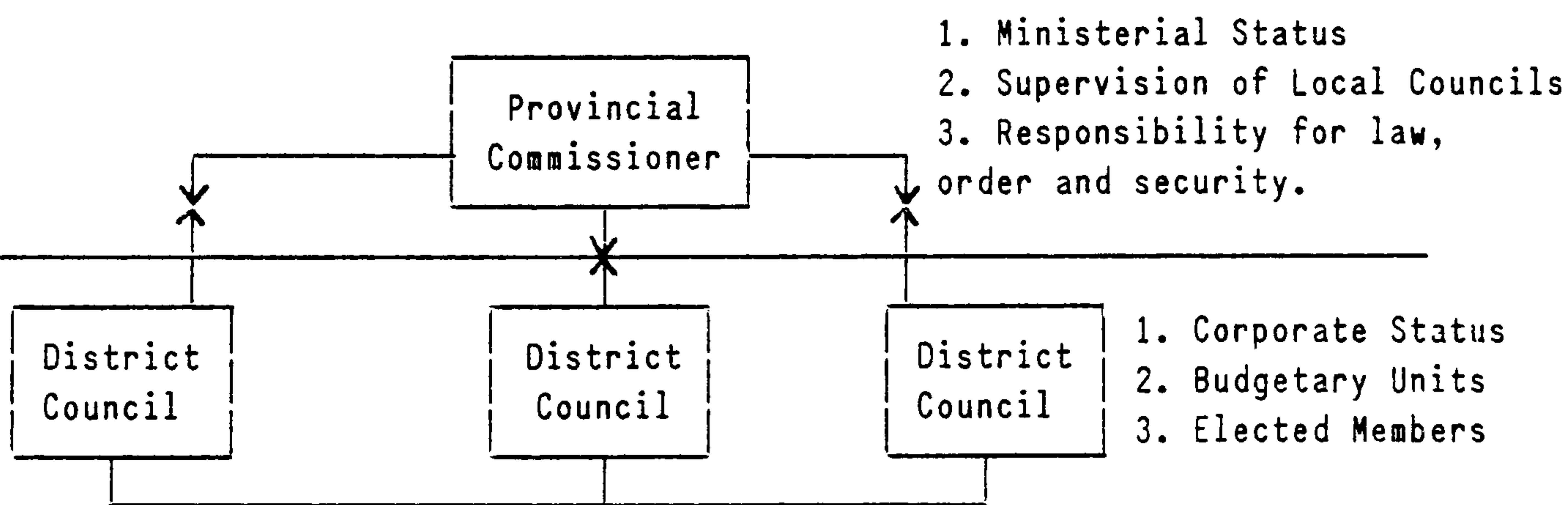
## National Level



## Regional Level

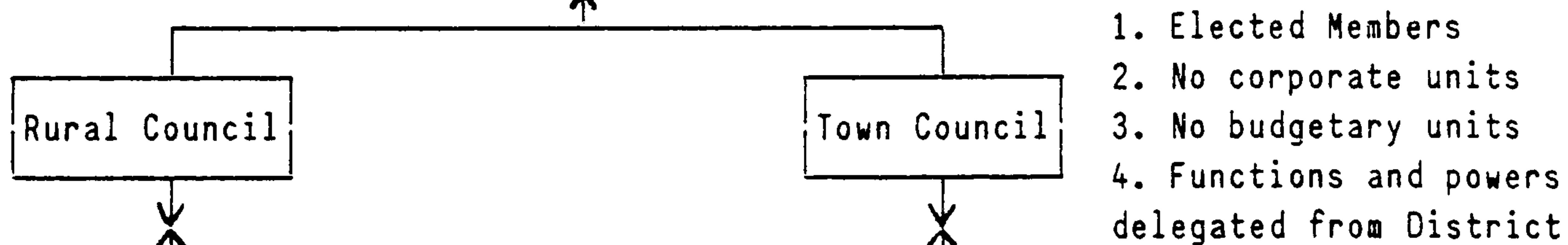


## Provincial Level

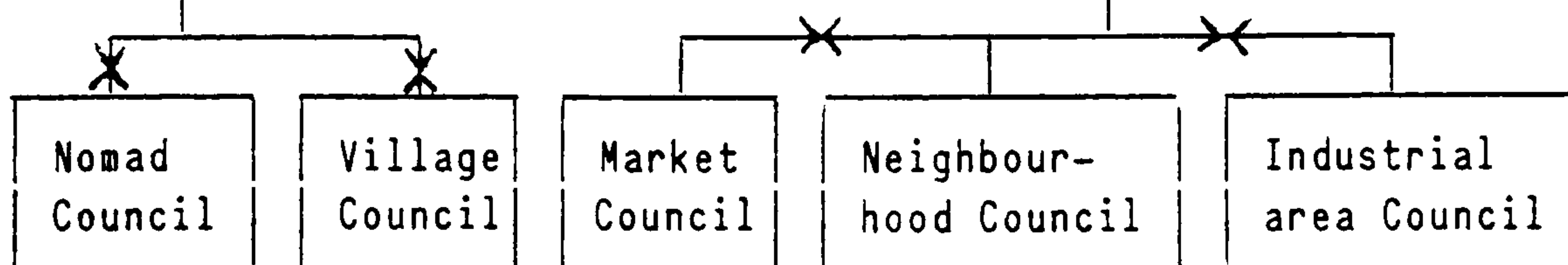


## District Level

## Town/ Rural Level



## Village Level





a) it would bring administration nearer to the people and make government more efficient given the vastness of the Region; b) it would be in keeping with the resolution's resolve to hand power to the people; and c) a division of the South into more regions might be a good way of avoiding domination of the Southern Region's administration by a single ethnic group.<sup>1</sup> However, the President stressed that he did not intend to let this issue become a source of contention.

This suggestion was supported in the meeting by General Lagu, who argued that the reasons which dictated that the South should present a united front no longer existed. For example, according to him, there was no fear of religious, cultural or social persecution from the North. He further argued that if the South was divided into three regions, Sunday would still remain the day of rest for the Southern Regions.

"Our Southern identity is guaranteed by the Constitution and the South would still unite if our common interests were infringed upon by the North."<sup>2</sup>

This argument provoked hostile comments from some Southern members of the S.S.U. Central Committee. For example, Dr. Justin Yac, Regional Minister of Co-operatives, said that any Southerner calling for the division of the Region was simply vying for Presidential favour and a political post, and that the President would be well-advised to give them posts, so that they would cease to make such ridiculous suggestions.<sup>3</sup> Because the Southern Committee members did not wish the issue to be discussed merely by the Central Committee, 59 of them successfully petitioned to remove the proposal from its agenda. The petition reads:

1. Sudanow, April 1981, p.18.

2. Ibid.

3. Ibid.

"In our view, the matter of the Southern Region having to remain in its present form or be divided into three or more regions is a fundamental issue of policy, a matter directly affecting the interest and will of all people in the Southern Region. Its decision should therefore emanate from the S.S.U. Conferences at all levels in the Southern Region. The matter raises legal and constitutional questions. These would be very elaborate and protracted procedures to be followed, even if the people of the Southern Region were to agree to the proposal."<sup>1</sup>

Southern politicians were divided on this issue according to their existing factional alignments, with Lagu's supporters promising division, and Alier's opposing. Minor factions attached themselves to Lagu or Alier in accordance with their calculations of resulting personal advantage. Each side presented its point of view in a form of booklet. The proponents of division argued in their booklet that: a) if the South was divided like the North, it would be effective in pressing the Central Government to share the power, grants-in-aid, foreign aid and other resources on a equal basis; b) it would reduce tribalism in the South; and c) many more people would participate in their region's administration and development.<sup>2</sup>

The opponents of the proposal, on the other hand, expressed the following disadvantages:

- "1) There is the fear that the North, having wished to divide-and-rule the South throughout our history, might be happier because the South will be 'Balkanised'.
- 2) We lack resources, and it is already difficult

1. The Solidarity Committee of the Southern Members, 4th People's National Assembly, Omdurman, The Redivision of the Southern Region: Why It Must Be Rejected, Nile Printing Press, Juba, n.d.) but (1981), p.24.

2. Lt. General Joseph Lagu (Rtd), Decentralisation: A Necessity For The Southern Provinces of the Sudan, (Khartoum, 1981), pp.17-18; the full text of this booklet is reproduced in Appendix VI of this work.



"for a single Southern Region to obtain its share of grants-in-aid from the Central Government. This will be worse if we have more than one region. Yet, with more regions, we shall need to build new capitals, set up more administrative units, pay for a larger number of newly created services etc. Where do we expect to get the money from, when we are unable to get it now as one, strong, united Southern Region?

3) It is feared that such a move will lead to a chain effect that will make Southerners begin to seek divisions on tribal basis because in each new division, there will still be fear of domination by larger tribes.

4) There will be the Problem of disposing with the Regional Government assets."<sup>1</sup>

It was on the basis of these arguments that the proposal has been debated. For example, following the Central Committee's agreement that the issue being removed from Agenda of its meeting, the Union of the Southern Students of the University of Khartoum asked General Lagu to speak on the proposal. Lagu reiterated the reasons given above for the division of the South and dismissed economic arguments used by his opponents as myths. He reminded the students that such arguments were used by the colonialists to dominate others. Lagu suggested that division of the South into regions would bring leaders from Upper Nile and Bahr el Ghazal nearer to their people and which, in his opinion, was bound to improve development in these areas.<sup>2</sup>

Speaking on the same occasion, Mr. Angelo Bada, then Speaker of the Regional Assembly stated that he did not think for the moment that dividing the South into more regions was economically feasible and would not solve tribal problems in the South. He told the students that the Region was unable to collect £S3 million from taxes. He added that the South lacked manpower and the only surplus manpower in the South was politicians,

1. Lagu, op. cit., pp.15-16.

2. Sudanow, April 1981, p.18.

who would benefit from the creation of new posts in the new regions. The Speaker concluded that division of the South would defeat the very concept of the Addis Ababa Agreement.<sup>1</sup>

The proponents of division have also advanced the threat of Dinka domination of the Region as a reason for its division. To justify his claims of Dinka domination in the HEC Lagu argued that of the 83 holders of senior political and administrative posts in the Region, 42 were Dinka and 41 non-Dinka. Their distribution was as follows:

Regional Institution or Body	Number of Dinka	Number of Non-Dinka
The High Executive Council	10	10
Provincial Commissioners	3	3
People's Regional Assembly	6	6
The S.S.U. Regional Assembly Body	2	1
The S.S.U. Regional Secretariat	1	5
Parastatal Bodies	2	-
Directoriat of the Ministries and other top Civil Servants	18	16
Total	42	41

Source: Based on the list provided in Decentralisation: A Necessity for the Southern Region, pp.8-12.

The list did not, of course, show that each person of Dinka origin was appointed to each institution on the basis of ethnicity. However, the proponents of division argued that this Dinka domination had created a sense of insecurity among the non-Dinka tribes, particularly in multi-ethnic urban areas.

Although it is difficult to assess the general feeling of the

1. Sudanow, April 1981, p.18.



citizens in the Region, the comments and responses of some leaders indicate that the division over this issue is both sharp and communally-based, with Equatorians favouring it, while the non-Equatorians oppose. For example, Peter Gatkuoth, the Southern Region's Vice-President and Minister of Finance and a Nuer by tribe, thinks that division of the South into smaller regions will condemn smaller tribes in Bahr el Ghazal and Upper Nile to perpetual domination. In his opinion, the best guarantee of minimising tribalism aimed at the minority tribes, is to unite and oppose any major tribe. He sees the idea as a Northern Sudanese device to weaken the unity of the South, because, in his words,

"the Northern politicians in 1965 proposed division of the South and again in 1970 and 1971 the idea was brought up by Northern politicians as the basis for negotiations with the S.S.L.M."<sup>1</sup>

Other Southerners are concerned with the implications of the division for the Addis Ababa Agreement. For instance, Ambrose Riny, the leader of the S.S.U. Assembly Body and a Dinka, argued that it was nonsense to suppose that the Addis Ababa Agreement would remain intact after the division of the South into more regions. He pointed out that dividing the South into six provinces, as in 1975, was not the same as sub-dividing the South into more regions, nor is it true that the creation of more ministers is a good procedure for calling for the division of the South.<sup>2</sup>

Despite the sharpness of the divisions on the issue, attempts were made to reach a compromise solution. A number of Southern M.P.s in the National Assembly suggested four points as the basis of any compromise: namely, a) that factors threatening Southern unity be investigated and the perpetrators identi-

1. Sudanow, April 1981 issue, op. cit., pp.19-20.

2. Ibid., p.19.

fied and dealt with; b) that all Southerners should unite and work for political, social and economic development of the Region; c) that the HEC implement the Article 184 of the Permanent Constitution, which is concerned with local government; and d) that the allegations of Dinka domination be investigated to minimise the worries of the other tribes.<sup>1</sup>

This attempt to focus on the political issues behind division failed, however, and in March, 1981, 12 Southern M.P.s wrote to President Numeiri, asking him to use his Presidential powers to dissolve the Southern Government and decree a division of the South.<sup>2</sup>

It is not clear whether it was because of this petition that President Numeiri eventually decreed the dissolution of the PRA and HEC on October 5th, 1981.<sup>3</sup> In the same decree, the President called upon the voters to carry out new elections within six months. The President also dissolved the High Executive and, in its place, appointed an interim administration headed by Major General PSC Gismalla Abdalla Rasas, a Southern Sudanese, whose family left the South some decades ago to live in the North. At the time of his appointment, he was the Commander of the Military College in Khartoum. In his speech over Radio Juba to the Southern citizens, General Rasas told them that his government duties were the supervision of a referendum, on whether to divide the South into more regions, and of the elections for the People's Regional Assembly, as well as maintenance of law and order.<sup>4</sup> To assist him in this task, 14 Ministers were appointed, but as most of them were known sympathizers of General Lagu, the claim of their neutrality was

1. The redivision of the Southern Region..., op. cit., p.30.

2. Africa Now, No.12, London, April 1981, p.53.

3. Presidential Decree No.698, in Nile Mirror, Issue No.502, October 17, 1981, p.2.

4. Ibid., p.4.



questioned by opponents of division.<sup>1</sup>

Southern reaction to the dissolution of the Regional institutions of government was mixed. The supporters of the division were jubilant. They viewed the new move by the President as a victory for their cause.<sup>2</sup> On the other hand, the opponents of the division felt that the President had taken these measures to fragment the South into small units, which could be controlled easily from the Centre. They were angry and disappointed as shown by remarks made by one of them, when he said, "What can we do, but accept it as a challenge? The polls will decide."<sup>3</sup>

However, in December, 1981, 21 prominent Southern politicians from the Region were arrested, including a number of Ministers from the dissolved Abel Alier Cabinet.<sup>4</sup> The complaint against them was that they had formed an illegal political organization called the Council for the Unity of the Southern Sudan, to fight any efforts to divide the South into more regions, while the 1973 Sudan Constitution provided that the S.S.U. was the only political organization in the country. The accusation was precisely that the Council was intended to be a party to undermine the state. In addition, it was accused of having connections with Libya, then involved as part of an apparent attempt to extend its influence in the Sudan's belt, in various border interventions in Western Sudan.<sup>5</sup> The letter, in which they announced the formation of this Council is ambivalent on this question, though it provides some support for the government's accusation.<sup>6</sup> The letter accused President Numeiri of siding with

1. Nile Mirror, Issue No.502, op. cit., p.4.

2. Faustino Rorrer, "The South's Reactions to Rassas", Sudanow, December, 1981, p.27.

3. Ibid.

4. The Guardian, Monday, January 4, 1982, p.5.

5. Africa, No.126, February 1982, p.31.

6. Appendix VIII.

the minority over the division issue.

In another letter, written early in December, to the Chairman of the O.A.U., the Council informed him of dangerous steps taken by the North to achieve the division of the Southern Region. These included the dissolution of the National Assembly to provide for the reduction of the Southern representation to fall below the one quarter requirement, so that an overwhelmingly Northern Assembly could pass a resolution by more than 3/4 of its members, as stipulated by Article 34 of the Southern Region Self-Government Act, 1972. The second dangerous step taken, according to the letter was the dissolution of the PRA and the HEC and the installation of a 'puppet' Government, which could be easily directed by the President.<sup>1</sup>

The affair happened at a time of increased Southern hostility to the North. For example, in June 1980, a convoy of Northern traders was ambushed and kidnapped by unknown assailants between Bor and Malakal. The kidnappers demanded that the oil refinery be re-sited at Bentiu. In May the same year, a Northerner was killed in Malakal after a quarrel broke out between Southerners and Northerners. Also in August 1980, a grenade was thrown into a group of Muslim worshippers in Wau, killing three and wounding several other people.<sup>2</sup> Increasing hostility between Northerners and Southerners spilled over into clashes between students at the University of Juba, causing the closure of the campus.<sup>3</sup>

The arrest of the 21 Southern politicians was followed by riots in the Southern towns, which led to several deaths. For

1. Appendix VII.

2. Africa Confidential, Vol.22, No.14, July 1, 1981, p.7.

3. New African, February 1982, p.36; for details of student politics at Juba University, see Michael Wolfers, "The Campus battleground", in The Guardian, Wednesday, August 26, 1981, p.7 and "Race and Class in Sudan", in Race & Class, Vol.XXIII, No.1 (1981), pp.65-81.



example, in Wau, according to the Guardian, three school children were killed during demonstrations.<sup>1</sup> The Khartoum Government backed down in January, 1982, and released 12 of the politicians.<sup>2</sup> The rest, after being charged with forming a political party, were released in February 1982. Their release followed a statement by President Numeiri to the National Assembly that he had resolved to end the transitional Government in the South and was ordering it to hold elections for the PRA.<sup>3</sup> Numeiri called on the Southern leadership, in the same speech, to try to resolve their differences and reach a compromise on decentralisation.<sup>4</sup>

This statement produced a mixed reaction again among Southerners, with the pro-division group disappointed. In an attempt to influence the President's decision, over 200 of them signed a letter objecting to this move. Finally, in March, 1982, they went on strikes. Despite these problems, the elections were held in May. This is not to say that the controversy is over. In both Eastern and Western Equatoria, pro-division candidates were winning the seats at the expense of opponents of division. There is, however, no precise information yet available on the results of these elections.

### Conclusions:

- (1) The Southern elite was divided before the Agreement (as Howell says), but they succeeded in subordinating these divisions in dealing with the North; and this is reflected better in the Regional Assembly in a pattern of competition for posts without the total exclusion of minority factions from the distribution of posts: hence internal conflict

1. The Guardian, Wednesday, January 13, 1982, p.7.

2. Africa, No.126, February, 1982, p.31.

3. Africa, No.128, April, 1982, p.39.

4. The Guardian, Wednesday, February 24, 1982, p.7.

in the Regional Assembly and HEC is modest.

- (2) By 1976 we see the first overtly factional conflicts (Alier's response to the 'removal' of the Speaker). After (and at) the 1977 election, competition becomes more intense and increasingly takes the form of 'winner takes all' conflict between ethnically defined factions. These conflicts become reflected in political conflict outside the Assembly, although the basic causes of such conflict (e.g. school fights) lie more in the failures of post-civil war reconstruction.
- (3) The most intense conflict arises in 1980/81, when Lagu and his faction argue for the end of the Regional Assembly in order to prevent 'Dinka domination' and call for its replacement with three local assemblies, two with non-Dinka majorities. In making this call, they attempt to use the support of the President, thus inviting further central intervention in Southern affairs, e.g. dissolving the Regional Assembly. This issue gives rise to further civil disorder, expressing popular discontent with North-South relations, although this is temporarily resolved by abandoning the threat of division and calling elections.



## CHAPTER VII

### CONCLUSION

This chapter draws together the main arguments and conclusions of the body of the thesis on these topics, and speculates on whether a devolved form of government will continue in the South. The very existence of a 'Southern problem' and the nature of its resolution were the product of the nature of Northern interaction with the South.

#### Patterns of Northern Domination after Independence

Although it is clear that the South and North Sudan have formed two different entities, racially, culturally and geographically, the problem of the relationship of the two regions would have not reached a violent stage had the North not acquired a "colonial outlook" after independence. This colonial outlook manifested itself clearly in the North's desire to dominate the South politically, economically, educationally and culturally.

#### Politics and Government

The South had no effective voice in Sudanese politics and no control over its own local affairs. Since independence, the Khartoum government had played, to all intents and purposes, the role of the oppressor against the South. Not only was the Southern demand for federation suppressed, but also the logical course of progression to political control of Southern affairs by Southerners was blocked. Under the new local government system promulgated by the military regime of General Ibrahim Abboud, Southern counsellors had to be nominated by the Army solely from among Southern residents, favouring a unitary constitution for the Sudan. In some cases, Northern traders, who

had lived in the South for quite a long time, were preferred to Southerners. Above all, all heads of Government Departments in the South, who invariably were Northerners, became ex-officio members of the Southern councils. Each council had to be headed by a Northerner appointed by the Army. The result was that political decisions concerning Southerners were made by alien bodies, not interested in Southern welfare and progress, and by those who did not have the same aspirations as Southerners. In 1963, when Provinces had to send representatives to the Central Council in Khartoum, the Southern Province of Upper Nile was represented by four Northerners and two Southerners.

The whole of this political domination was linked to a practice of administrative discrimination against Southerners. There were no Southerners in the foreign service, in the key posts of Administration, Police and the Army. Apart from discrimination in public matters, the emergence of any Southern politician able to rally the support of the Southern population was regarded in the North as a sign of disloyalty to "National politics". Under Abboud, many Southerners were kept behind bars, because of their outspokenness on the 'Southern problem'.

### Economy

The Southern economy was also dominated, on the one hand by Northern traders, and on the other, it was neglected by Northern administrators. Any programme aimed at wide scale economic progress and social advancement in the developing states is often described as "ambitious", but it always has the advantage of convincing those concerned that one year of national independence is worth more than ten years of colonial administration. Yet, although the Sudan achieved independence in 1956, colonial practices and patterns of development did not disappear from the South. In 1954, the Southern Development Investigation Team submitted to the government of the day its



recommendations on how to develop the South, which aimed at improving the infrastructure as well as paying greater attention to particular spheres that would strengthen the mono-cereal economy of the Sudan. These recommendations were shelved by the government. Furthermore, existing schemes, such as the Nzara Cotton Factory, were dismantled and the machinery transferred to the North. Other projects, such as the establishment of a sugar plantation and sugar refinery at Mongalla, the construction of a Paper Factory at Malakal, and the opening of Fishery Industry at Malakal, were abandoned and expensive alternatives established in the North. These were: Khasm el Girba and Guneid for sugar; Aroma for paper; and Jebel Aulia for fish. Instead of manufacturing tobacco in the South, where the leaf was produced, the government decided to open the factory at Wad Medani, about a thousand miles away.

Instead of improving and utilizing timber from the Southern forests, the Northerners decided to afforest the Northern desert. A good example of this is the Green Belt forest around Khartoum. Similarly, the vast rice lands of Aweil District in Bahr el Ghazal were totally neglected. Instead of opening an additional agricultural scheme at Malakal, the only existing one at Yambio was abandoned.

Economic neglect of the South was not the only factor which characterised the North-South relations at this period. Whatever material gains there were to be made from the Southern economy went to Northern Sudanese living in the South. For instance, all the irrigated cotton plantations in Renk District and rice farms in Aweil were owned by Northerners.

After the coup d'etat of 1958, the government expropriated large areas of Dinka land in Renk. Despite their protests, their land was given to Northern farmers. Under the "New Province Boundaries Ordinance 1961", the same government decided to annex the mineral rich areas of Hofrat en Nahas and



Maban to the Northern Provinces of Southern Darfur and Blue Nile respectively.

Not only was land reallocated, but trade was diverted into Northern hands through control of contracts and licences. The establishment of cooperatives, normally a characteristic element of natural development in Anglophone Eastern Africa, was discouraged. Such associations, though for economic purposes, were regarded as political organisations aiming to undermine Northern rule in the South.

From this brief account, it is quite clear that a dual economic policy of neglect and exploitation, wherever possible, was applied by the successive Khartoum governments to perpetuate Southern economic dependency on the North and to ensure their control of the South.

### Assimilation and Arab Nationalism

In the Sudan, as in other new countries, there was a need to adapt the educational curricula all over the country to meet the government's national specified standards. But, contrary to this conventional objective, the policy in the South was applied to reduce facilities for rapid expansion in education and to bring about retrogression. Not only that, but nationalization of mainly mission schools in the South brought with it the introduction of two factors with equally retarding effects: namely, the use of the Arabic language as a medium of instruction and the propagation of Islam as a supposed "national religion". Because of Northern anxiety to assimilate Southern Sudanese into the Arabic culture, the North imposed the Arabic language on the Southern schools without first having devised methods of teaching it. Southern teachers, who taught English, were given short courses in Arabic, and, if at the end of the year they were unable to teach in Arabic, they were declared redundant and dismissed without further consideration of their



future. Arabic teachers were then brought in from the North to take their places.

To bring about conversion to Islam, the Northern Sudanese created, as early as 1955, a government Department of Religious Affairs to cater for the spread of Islam and Islamic culture in the Nuba Mountains and Southern Sudan. Its programmes and activities were subsidized by the government. Paradoxically, after having removed the schools from the missionaries, the Department was given priority by the military regime of Abboud to go ahead with the building of Islamic schools known in Arabic as Mahaads and Khalwas. In short, the policy was that children coming from either "pagan" or Christian families, who joined these institutions, were expected to become Moslems. This to me, was a clear, indirect, way of assimilating the younger generation of the Southern Sudan into the Arabic Islamic culture and way of life, at the time when the South was in search of its African character and identity.

As to social discrimination, the truth is that the relationship between Southerners and Northerners in the South was that of "segregation". Northerners used to consider themselves as better than Southerners in all aspects of life. Northerners had separate clubs in places like Malakal, Juba and Wau, and were known as Nawadi el Shemaliin" (Northern Clubs), as opposed to Southern Clubs. The attitude of the Northerners towards Southerners was summed up by the Commission of Enquiry as follows:

It is unfortunately true that many Northern Sudanese, especially from among the uneducated class, regard the Southerners as of an inferior race and the Gallaba (Arab traders) in the Southern Sudan form no exception to this, as the majority of them are uneducated. The traders refer to, and often call the Southerners 'abeed' (slaves). This practice of calling Southerners 'abeed' is widespread throughout the three Southern Provinces. It is certainly a contemptuous term and is a constant



reminder to the Southerners of the old days of the slave trade.<sup>1</sup>

Thus, the conception of national unity of the successive Khartoum governments was based on the assimilation of the Southerners into Islamic culture and Arab nationalism. For example, in the 1958 Parliament, Ali Abdel Rahman, then the Sudan government's Minister of the Interior, said, "The Sudan is an integral part of the Arab world... Anybody dissenting from this view must quit the country."<sup>2</sup> This was to be a perennial attitude of all the regimes and governments which followed. Thus, in 1969, General Numeiri's Prime Minister, Babiker Awadalla, stated in a Cairo Press Conference that:

In the Arab field our policy emanates from our consciousness that we are part of the Arab entity and existence, tied to it by history, objectives and destiny of the Arab Revolution and Unity. We believe it our duty to strengthen all-round ties, economic, military and cultural with the sister Arab states, so as to create a broad basis for future Arab unity.<sup>3</sup>

This policy statement was followed by the declaration of the unsuccessful Tripartite Union between Egypt, Sudan and Libya, a union which was viewed by the Southern elite with alarm. The expansionist aims of the Union were still more alarming. According to El Ahram, these aims were: "(a) spearheading into the heart of the continent (Africa); (b) providing a nucleus for an over-all Arab unity".<sup>4</sup>

The attitude of the leaders of the Tripartite Union towards the

1. Report of the Commission of Enquiry into the Disturbances in the Southern Sudan During August 1955, pp.123-4.

2. Oliver Albino, The Sudan: A Southern Viewpoint, pp.5-6.

3. The Sudan News, August 4th, 1970.

4. El Ahram, 8th November, 1970, quoted in a memorandum sent to President Numeiri and members of the Revolutionary Council signed by 10 Southern organizations, dated 19th November, 1970.



non-Arabs in their countries was explicitly revealed by General Numeiri, when he commented about the future of the Union.

Indeed the three countries Libya, Egypt and Sudan could possibly struggle in Africa to defend Arab civilization which is being hampered and encircled by imperialism in an attempt to stop its influx into the heart of Africa.<sup>1</sup>

Thus, the ideology of Arab nationalism was even stronger under Numeiri, while, despite some effort having been made to respond to Southern demands after the overthrow of the military regime in 1964, the factors which underlay the growth of Southern nationalism and the outbreak of civil war were not significantly lessened by 1970. Why then was it possible to agree to end the war and to compromise on Southern autonomy in 1972?

### The Agreement

Chapter III produces a detailed account of the background to the Addis Agreement; here I wish only to point to three key factors, which either allowed or drove the Numeiri government and the Southern leadership into serious negotiations. The existence of varied Northern attitudes towards Southern demands; the military stalemate and the nature of the demands of the Southern leadership, as opposed to the discontents of the Southern population.

John Howell provides part of the answer when he argues that, in the North, the 'Southern Problem' as a policy issue has always been centred on attitudes towards the Southern elite, rather than on the 'South' itself. Among these we find not only the views: 1) that they should be given independence and left to sort out the problems of governing themselves; or 2) that they should be treated as self-seeking trouble-makers from the

1. El Ahram, 8th November, 1970, op. cit.

mission schools, quite unrepresentative of Southerners, as a whole, who should be excluded from politics and, when necessary, suppressed; but also the view 3) that they should be brought into government and given posts of authority, especially in their own region, and thus be given a vested interest in remaining an integral part of the Sudan.<sup>1</sup>

It was the last view that provided a basis for compromise. For the Southern elite the key aspects of the June 9th Declaration (which laid the basis for the Addis Ababa Agreement) were its emphasis: a) that citizens from the South would be in charge of police, prisons and administration; b) that the cultures in the South should be developed as general patterns of Sudanese cultures; c) that accelerated economic and social development of the South should be pursued; d) that there would be one region for the South and this region would have both executive council and legislative assembly; e) that there would be a head of the Southern region appointed by the President of the Republic; and f) that the solution was political, not military, and that reconciliation and forgiveness of the mistakes of the past would be the official policy.

The response of the Southern elite resident in the Sudan government control zones was positive and they cooperated with the May regime. This cooperation resulted in their appeal to the Anya-Nya to stop hostilities and their recommendations to the Khartoum government that the speeding up of the full implementation of the policy would indeed normalize the situation in the South; that development was an essential pre-requisite for a meaningful regional self-government in the South; and that political, economic and administrative developments were important instruments in normalising the situation in the South. Their

1. John Howell, "Political Leadership in the Southern Sudan", East African Universities' Social Science Council, 8th Annual Conference Proceedings, Vol.2, (Nairobi, 1972), p.79.



cooperation was prompted by the fact that with the exception of the short-lived October interim government, no previous Khartoum regime had been willing to solve the Southern problem peacefully. They saw in the May regime's declared policy a hope for peace and Southernization.

The response of the Southern Sudanese outside the government control zones was mixed. Some politicians like Gordon Mayen and his followers saw the policy as another Arab trick, designed to distract and divide Southerners in their struggle. Although they did not object to all the aspects of the declared policy, they were not committed to the idea and were, thus, not involved in the steps leading to the compromise.

The other groups represented by General Lagu, were of the opinion that the war could not be fought indefinitely; they favoured negotiations with the Khartoum government to reach an equitable solution to the Southern problem. The willingness of the Lagu faction to compromise with Khartoum was revealed at the preliminary talks at Addis in November, when the SSLM spokesman stated that his organisation was sincere in wishing an end to the conflict and suffering whether the North or the South stood to gain most. The spokesman emphasised that their fears of domination were alleviated by the change of leadership in the North, as well as socio-political changes.<sup>1</sup> However, the most important aspects of the declared policy, which convinced this group to negotiate, were: a) the full amnesty which was to be given to all who had, in one way or another, participated in the civil war; b) the appointment of the returnees in responsible positions; c) participation in political, economic and social development of the Anya-Nya leadership; d) resettlement and rehabilitation of the returnees; and e) compensation to those who lost their property during the war.<sup>2</sup>

1. SSLM Speech at Addis talks, February 15, 1972, p.5.

2. Memorandum of Understanding: Top Secret for your eyes only, Addis Ababa, Ethiopia (n.d. but 1971).



The second factor which led to the compromise in 1972, was the military situation on both sides. Within the Anya-Nya movement, despite the fact that Lagu had become the apparent leader of both military and political wings by 1971, still there was not effective overall unity of the Movement due to lack of communication. Each unit of the fighting men operated on district and province levels under local leaders. Each unit was faced with the problem of communication between their area of activity and the headquarters, which first was located in Bungu and later in Owing Kibul in Equatoria Province; to show how it was difficult for the various Anya-Nya groups to communicate, it used to take 45 days to send a message from the headquarters to Renk. Even within Eastern and Western Equatoria, messages used to take three to four weeks to reach the headquarters. Aside from the communication problem, there was the usual feuding among the Southerners. This was clearly stated by Rolf Steiner, when he said:

The big problem for the Southern Sudanese was the feuding among different clans inside their own ranks. A few months after my arrival two thousand Anya-Nyas of two Northern tribes had fought each other for three days, and hundreds of men were killed. My own men became restless and informed me that the time had come to make war on the Morus. Why the Morus? Because my men were Baris. What did the Morus and Baris have against each other? They were old enemies."<sup>1</sup>

Thus, in addition to the problem of fighting a better-equipped and larger army, the Anya-Nya forces' efficiency was seriously affected by lack of coordination and even internal conflict.

On the Sudan government side, there was, thus, no fear of a major victory by the Anya-Nya. There was, however, a real fear that the war was draining an already over-burdened treasury. The long, drawn-out war was also a deep source of griev-

1. Rolf Steiner, The Last Adventurer, (London, 1976), p.197.



ance inside the army with the men in the field bitter against an incompetent and corrupt command.<sup>1</sup> Otherwise the Sudanese army was strong and capable of carrying out operations outside the main towns. The situation thus became one of stalemate, since neither side was able to control the South. The Anya-Nya were in control of the countryside and did not attempt to attack big towns, like Juba and Malakal, and the Army was unable to rid the countryside of the Anya-Nya. Given this situation, the leadership of the Anya-Nya and the Sudan government sought compromise rather than outright military victory to either side. In short, the only alternative to continuation of the war was the Addis Ababa Agreement.

The third factor has already been implied in discussion of the first. The specific demands of the Southern leadership were for Southern autonomy on the one hand, implying the end of direct Northern political and cultural domination of the South, and for Southernization of key political administration and economic roles on the other. While the first of these was shared with the Southern population at large, the second was of far greater importance to the Southern elite, since it offered them the chances of social mobility and economic advancement hitherto denied them. Southernization was consistent with a wide range of different degrees of autonomy: the Southern leadership was willing to compromise on the latter for a guarantee of the former.

### Devolution in Action

From 1972-1977 devolution achieved some relative success and preserved a limited Southern autonomy, despite lack of adequate finance and Presidential intervention in Southern affairs. Over a million Southern refugees returned home, and the region was able to complete repatriation, resettlement and

1. J. Girodet, "Sudan: the Revolutionary Task", The African Communist, No.43 (1970), p.70.



absorption of the Anya-Nya into regional and national institutions.<sup>1</sup> The armed forces received 6,000 Southern Sudanese, while the police and prisons received 3,555 and 747 respectively.<sup>2</sup> Not to mention those who were given jobs in the Civil Service.

Elections for the PRA were held in 1973 and both the PRA and the HEC began to function well. The first PRA discussed and made laws on various issues, including the Jongeli Canal crisis, the educational and financial bills. The educational bill was about the reintroduction of English in Southern schools as a medium of instruction. Some M.P.s objected to it on the ground that it would retard progress of those schools functioning in Arabic. However, at the end, the proponents won and English was reintroduced as a medium of instruction in some schools.

The PRA requested the HEC to furnish it with information about the whole integration process in the armed forces and the training of police and prison officers. Not only that, but the PRA was quick to denounce any attempt to overthrow Numeiri, such as the September coup attempt by Hassan Husein in 1975, the National Front attempt in July 1976, as well as the Wau Mutiny of February 1976.

This relative success was due to several factors. The main Southern political grouping which had supported the Agreement were all represented in both the PRA and the HEC. The process of Southernization was being continued and the International Agencies, which participated in the relief process, were still interested in supporting their chosen schemes in the South. All these factors gave the average Southerner a hope for a better South and sustained his support for the newly-established instit-

1. Tristram Betts, The Southern Sudan, the Ceasefire and After, (The Africa Publications Trust, London, 1974), p.4.

2. Peace and Development in the Southern Region, p.4.



utions of devolution.

Another factor which contributed to this relative success was the support of President Numeiri, himself, to the system in its initial stages. This was shown by the various decrees he made to support Devolution in the South. The most important of these was the Presidential Decree No.39, which addressed itself to the financial problems of the Region. There was even an attempt by the President to persuade each province in the north to support one or two provinces in the South financially. The Unity Day celebrations held on the 3rd of each March were, too, meant to support the development and improvement of the Southern towns like Juba, Malakal and Wau. The central government released funds three or four months before the celebration for the improvement of roads, houses, hotels and other public and private properties for the purpose.

By 1975, however, the system started to feel a lack of progress in social and economic fields. Thus, in one of its sittings in 1975, the PRA noted that, as a result of inadequate transport facilities and the failure of the River and Rail Transport Corporations to bring to the South essential commodities, the Region had experienced acute shortages of petroleum products, foodstuffs and building materials, which had caused suffering to the Southerners in towns and made it difficult for the Regional Government to discharge its duties of providing essential services, as well as promotion of social and economic developments. To remedy this situation, the Assembly appealed to President Numeiri to transfer to it certain powers over river and rail transport, and to improve facilities for servicing steamers and rolling stock in the South. Neither request was granted, and both would constitutionally have needed the approval of the National Assembly, so weak were the PRA's own powers.

The Southern Region accounts for about one-third of the Sudan, both in area and population and yet, in a decade of devolut-



ion, one third of national development budget has never reached the South to solve the prolonged deterioration in services and the economy of the Southern Region before and during the war. This has led to numerous students' protests against those in authority in Juba, whom they held responsible.

### 1977-81: The Undermining of Devolution

The period 1977-81 witnessed the decreasing effectiveness and autonomy of the PRA and HEC shown in the high turnover in both, their decreasing output in policy and its implementation, and their loss of public prestige. The decline was due to: a) lack of development, because the Region did not have adequate finances; b) increasing central government intervention in the Southern affairs and its more effective impact; c) growth of factional conflict and ethnic competition; and d) decline in public order and spread of ethnic conflict.

The lack of adequate finance allocated to the Region by the Centre became acute by the 1977/78 fiscal year, in part because spending by outside agencies on post-war reconstruction and rehabilitation was by then in decline. This prompted the second PRA to investigate Regional finances. According to the Standing Committee for Development, Finance and Economy, the Region was to receive from the Centre for the 1977/78 fiscal year the amount of £S30 million for its development budget.<sup>1</sup> Out of this amount £S6,125,119 was actually received. The Committee also scrutinized the release of development funds by the Centre for the Region for the first six months of that financial year and found that only £S2,427,033 was received by the Region. In addition, the amount of £S22.5 million approved by the PRA for the 1978/79 Development Budget was reduced by the Central Ministry of Finance to £S17.5 million on the ground that

1. PRA, Report of the Standing Committee for Development Finance and Economy on the Regional Development Budget of 1978/79 (n.d.), p.1.



the Central Government was facing liquidity scarcity.<sup>1</sup> With this situation, Southern discontent grew and this was reflected in the observation of the PRA that Central Government projects for the South, which were initiated before and after the Addis Ababa Agreement, were still either on paper or at very early stages, such as the Melut sugar scheme and the Tonj Kenaf scheme, while the schemes which were planned at the same time in the North had reached the production stage - e.g. Abu Naama Jute Factory, Haggat el Assalaya Sugar Scheme and Kenana Sugar Factory.

The lack of development in the Region coincided with decreasing central political support and frequent Presidential interventions. These two aspects were clearly shown by the border crisis and the oil refinery location, discussed in Chapter VI. Although the central government failed to annex the Northern areas of Upper Nile and Bahr el Ghazal, it was able to locate the oil refinery outside the Region, against the wishes of the PRA-HEC and the Southern people. This happened because the Southern elite were by now thoroughly divided along factional, and increasingly ethnic lines, and preoccupied with internal factional competition. Underlying ethnic competition was the nature of the electoral system, whereby most of the sixty territorial Regional constituencies are divided on ethnic bases. This allowed the formation of ethnic factions among the PRA members and, thereby, the development of ethnic competition over posts in, and control of, the PRA and HEC. The scramble for such positions has resulted in the demand by Equatorial elites for the division of the Southern Region into more regions, implying the abandonment of a single Southern Assembly, only ten years after its creation.

### Devolution: an Assessment

The gains and limitations of devolution in the Southern Sudan

1. PRA, Report of the Standing Committee..., op. cit.



are many. Perhaps the most important gains are that it has ended the Civil War, attained peace, and satisfied Southern elite participation in the institutions of the state. It has also created regional legislative and executive organs enjoying local identity, a regional university, regional administration and relative financial powers. The system has not only achieved the Southern elite's demand to govern themselves, but also removed the feelings of injustice and discrimination they used to face before their agreement to this model. However, these are essentially short-run gains, in the long-run the limitations of the system abound and appear more significant.

Denis Rondinelli argued that for devolution to succeed in an economically and institutionally underdeveloped country like Sudan, four conditions should be met: a) that there should be a strong political commitment to the concept among both national and local leaders; b) that there should be a clearly defined devolution policies and procedures; c) that there should be adequate financial resources and administrative capacity at the national and local levels to plan and manage development; and d) that there should be physical and organisational infrastructure conducive to devolved decision-making and interaction among administrative units.<sup>1</sup>

Although Rondinelli was discussing mainly the 1971 Local Government Act and the recent decentralisation in Northern Sudan, these conditions are equally applicable to the 1972 devolution to the Southern Sudan.

It is clear that the last three of Rondinelli's conditions - notably adequate finance - are just not fulfilled in the Southern case, particularly after 1977. However, Southern devolution

1. Dennis A. Rondinelli, "Administrative Decentralization and Economic Development: the Sudan's Experiment with Devolution", The Journal of Modern African Studies, Vol.19, No.4 (1981), pp.611-612.



worked well initially because the national and regional elites were both then committed to its success. President Numeiri supported devolution through the numerous decrees he made and in his appointment of Southern leaders who played a great role in achieving devolution. Two key instances of the latter are the nomination and appointment of Abel Alier to head the newly-established regional government in 1973, as well as the appointment of Joseph Lagu to a key post in the Sudanese armed forces and his eventual transfer to command the Southern unit of the armed forces in 1975. The cooperation of the three leaders made devolution a relative success in the period 1972-1977. However, following the factional division between the two Southern leaders after the 1977/78 elections, and the decline in President Numeiri's support for the system following his attempt to reconcile with the National Front in 1977, the system was gravely weakened. The result was the fragility of the Regional government and its inability to deliver or channel development funds into the Southern economy and its inability to accommodate either: (a) more decision-makers or (b) a bigger bureaucracy to meet "educated" expectations of employment leading to declining support for the HEC among the Southern elite.

The system also became unable to resolve the increased degree and intensity of ethnic competition caused by the very lack of progress and development and the growing popular resentment of its apparent failure to face the Khartoum government to get implementation of the 1972 promises. Given this situation the question is: how long can the present system last?

### Devolution: A Prognosis

While there has been general agreement among independent African states that inherited colonial boundaries should be maintained, this can come into conflict with principles of self-determination and the practical impossibility of building a stable nation-state on the basis of force. Many states have bro-



ken into separate units on achieving independence and after having been administered by the same outgoing imperial or colonial power. There is the example of India and Pakistan; and of West and East Pakistan, to mention only one continent. Other states have broken up after realising that they had achieved an unworkable relationship between the component parts. For instance, the Federation between Mali and Senegal or the British imposed Federation of Central Africa no longer exist. This shows clearly that even a Federal union, on which the Southern elite had in the past put much emphasis, need not necessarily have been more effective or stable than devolution.

### The Threat of 'Division'

Writing about the collapse of the Mali Federation, Mamadu Dia, former Premier of Senegal, addressed all of Africa's Federalists and Pan-Africanists in the following words:

Our error has been that in our fight against Balkanisation, we failed to consider the pre-colonial fact that is territorialism. Our mistake has been our failure to pay sufficient attention... to this phenomenon a fruit of colonialism and socio-political fact that a treaty of unity... no matter how praise-worthy or attractive... cannot abolish.<sup>1</sup>

Devolution has not reduced intra-regional divisions - as witness the increase in ethnic politics and the division proposals. Division implies an end to the devolved system; but how likely is it to occur? I have already discussed the origins and content of the proposal to divide the South into three provinces with the same powers as the Northern provinces. The debate among Southerners on the division issue became more intense in the middle of 1981. There were few instances on which the two groups fought among themselves during the political rallies in

1. Mamadu Dia, The African Nations and World Solidarity (New York, 1961), p.140.



Juba. This was seen by President Numeiri as leading to the breakdown of law and order and, as a remedy, he dissolved the PRA and HEC in October, 1981, and appointed an interim government whose function was to prepare the region for a referendum on the division issue and for eventual elections to either one or more assemblies in the South. The referendum was proceeded in December by the Central Assembly elections. Out of 151 seats the South was allotted 29 only. These seats were contested on the division issue. The divisionists won ten only, while the Council for the Unity of the Southern Region got the rest. This result was a clear indication to President Numeiri that the majority of the Southern elite opposed division. He cancelled the referendum and ordered elections for a single PRA to be held in April 1982.

Like the December 1981 elections, the April elections in the South were contested on the division issue. In both Eastern and Western Equatoria, the divisionists won most of the seats while in the remaining four provinces SANU-Aru and the Southern Front groupings won a substantial number of seats. Thus at the end of the elections, there were three political groupings (Divisionists; SANU-Aru and Front) each planning to nominate a candidate for the Presidency of the HEC. Their political strength was estimated as: Divisionists had 34 members; SANU-Aru 28 and the Front 49, with 4 members undecided which group to join.<sup>1</sup> Three of the undecided were the nominated members of the army, police and prisons. Given this situation, the divisionists made a deal with SANU-Aru to form the next government in return for the latter having the key posts of the Vice-President of the HEC and the Speaker of the Assembly. The two factions won by 62 to 49 with four abstentions.

Mr. Joseph James Tambura, the newly-elected President formed

1. Sudanow, July 1982, pp.8 and 11.



his cabinet exclusively of those groups who supported him.<sup>1</sup> In explaining why he did so, he stated the 'opposition' did not believe in his policies and there was no need to include them in the government. He also feared that if he included them in the HEC, they might come and work within the government to overthrow him, as happened to Lagu, in 1980 when he included the opposition leaders who eventually took over from him. On the question of division, he said that it should only come after a thorough study had been conducted by the newly-created Regional Ministry of Decentralisation Affairs. Thus the division issue is not so much of an immediate threat as it seemed at first, but it cannot be discounted in the middle-term future. The proposal was the result of the growth of ethnic

1. Joseph James Tambura, an Azande from Western Equatoria Province. He was born in Wau on September 12, 1929, to the family of the Zande Paramount Chief, James Tambura. He received his primary education in Wau and then progressed to the intermediate school at Bussere. Following intermediate school, Tambura left for Uganda, where he studied at Kampala Senior Technical School. He returned to Sudan and joined the Khartoum Technical Institute (now known as Khartoum Polytechnic), from which he graduated in 1954 with a diploma in Mechanical Engineering. Tambura later went to Milwaukee University in the United States of America, where he obtained an advanced diploma. He taught in various technical schools in the North for 21 years. He was an active member of the Southern Front from 1958-68. He first appeared in politics in 1968 when he was elected unopposed from Tambura District Constituency to the Constituent Assembly in Khartoum. Following the May 1969 coup, he was appointed general manager of Wau Fruit Canning Factory until 1976, when he was made Director of the Regional Ministry of Cooperative, Rural Water and Community Development. Under the Lagu Administration, Tambura was the Minister of Public Works, Communications, Transport and Roads. In 1980 he was elected to the third PRA, as representative of Cooperative Societies, Western Equatoria. He retained the same seat in the April 1982 elections. He was a leading member of the division groups since the issue appeared in Southern politics in 1981. In May 1982, the Greater Equatoria (Divisionists) elected him as their Parliamentary leader. When his group and SANU-Aru group agreed to form the next HEC, he was nominated to contest against Clement Mboro, leader of the Unionists' group.

Source: Sudanow, July 1981, p.8.



factionalism within the PRA, and has the support of President Numeiri. Any re-emergence of such ethnic conflict, particularly if it involves appeals to the President to intervene on behalf of one faction could revive the issue as a serious alternative to devolution.

### Economic Neglect and Devolution

Perhaps the most fundamental obstacle to a stable devolved system is the lack of adequate finance and economic powers. The persistent past neglect of the South was an important cause of popular Southern resentment of Northern rule: to achieve legitimacy and bring about visible economic development, the new institutions needed substantial resources. These have not been made available, and will not become available for as long as Sudan's present economic problems continue. Politically, the results have been twofold. At the level of the institutions themselves, the lack of cash and power has made central intervention and control that much easier, and it has turned the politics of the PRA inward, into intrigue and factionalism, for want of more substantial tasks. Outside the Assembly, it has reduced its standing, even its legitimacy, among the Southern population. Recent years have witnessed, in my experience, a rising tide of discontent and regional sentiment among Southerners, who have remained silent, remote from the political and economic seats of power and merely marginal to the realm of income distribution. This strata consists of the lowest echelons of the absorbed Anya-Nya and civil bureaucracy, the semi-skilled and unskilled workers, the unemployed (among them ex-Anya-Nya), students, petty-traders and the peasantry.

### Political Problems and Devolution

Apart from the 'division' issue there are more fundamental objections among both the Northern and Southern elite to a continuation of devolution (at least in its present form). The issue



of the extent of autonomy remains important. The Southern elite's initial demand at the Addis talks was for a federation in which the powers of the President of the State would be confined to a) chairmanship and representation of the country on all occasions; b) signature of all federal enactments and the veto of any legislation which he considered was not in the interest of the state; c) appointment of diplomatic representations abroad on the advice of the federal government; and d) declaration of the State of emergency when ratified by the regions within thirty days.<sup>1</sup> However, Regional devolution fell short of this demand and gave the President power to regulate between the regional and central organs. This provision made the PRA vulnerable to the centre, especially in the face of crises like that of border and oil refinery location.

Equally important is the fact that the Southern elite resents any attempt to push the Sudan into the Arab sphere of influence. The occasions on which this group have showed such resentment abound. For example, in 1970 the Southern elite living in Khartoum protested against the attempt to unite the Sudan, Egypt and Libya.<sup>2</sup> Also, in 1979, Southern M.P.s in the Central Assembly protested in a memorandum against the then proposed Union between Egypt and Sudan. Among more general disadvantages to the Sudan, they mentioned their belief that the proposed integration sought "the Arabicisation and Islamization of everybody in Sudan",<sup>3</sup> and their objection to the general application of Islamic laws in Sudan.

The Southern elite, too, are sensitive to any attempt by Numeiri at reconciliation with the right-wing political groupings,

1. Appendix IV.

2. Memorandum by 10 Southern Organizations, op. cit.

3. Memorandum against proposed political, economic and social integration leading to complete unity between the Democratic Republic of the Sudan and the Arab Republic of Egypt, the People's National Assembly, Omdurman, 1979.



including the Moslem Brotherhood, which they suspect of still hoping to turn the Sudan into an Islamic state.

Writing about the Irish devolution, Nicolas Mansergh stated that:

... the basis upon which devolution rests is narrow; that it is no more than an isthmus dividing the tide of centralised bureaucracy from the rising tide of nationalism; and that as such it is at best a temporary expedient designed to facilitate the transition to the federal state.<sup>1</sup>

The federation option is very unlikely, despite being the original Southern demand, because of the tendency in Khartoum to centralize powers, especially with the President and the belief that national integration could be achieved under a unitary system of government.

The second possibility is of intensified Southern nationalism growing from two sources of dissatisfaction: a) there is a mass discontent in the South stemming from lack of development and the Northern cultural influence; b) there is the discontent among educated Southerners because of lack of opportunity in finding jobs, as well as cultural issues, for example that of Islamization of civil laws in the Sudan; and Northern intervention, for example the intervention of the Central Assembly to redraw Southern borders and the intervention of President Numeiri to locate the oil refinery in Kosti. However, open conflict between the Centre and the Southern Region is unlikely for two reasons. First, both Southerners and Northerners are keen to maintain peace and order, because none of them wanted war again in that part of the country. Secondly, the decade of devolution has brought to Southern politics a political elite who are interested in this system, because of the income derived from it, as well as the prestige of being a politician. The absorbed Anya-Nya

1. Nicolas Mansergh, The Government of Northern Ireland: A Study in Devolution (Allen and Unwin, 1936), p.22.

in the high-ranks of the Sudanese army are too keen to preserve the system and are unlikely to relish the idea of returning to a life in the bush after the relative comfort of the last ten years.

The lack of finance and development is likely to continue and the region will remain poor, but the Southern populace cannot go to war without the support of the elite. Furthermore, Southern nationalism is at the moment in conflict with ethnic factionalism. Unless ethnic factionalism is over, one cannot dream of a united Southern stand against the north in the near future. In the light of these facts, centralization seems to be the only option. It is already happening and is likely to continue due to the nature of the Sudanese political system (Presidential, authoritarian); the lack of powers, and cash, for the PRA and other regional institutions; and weakened Southern nationalist pressures. In short, devolution is most likely to continue with declining importance and legitimacy. It is possible that it may collapse into subregional units, or renewed nationalism.



## APPENDIX I

### POLICY STATEMENT ON THE SOUTHERN QUESTION BY PRESIDENT NIMEIRI, 9 JUNE 1969

Dear Countrymen! Warm congratulations and greetings to you on this historic occasion of your revolution.

No doubt you have heard of the broad aims of the revolution outlined in my speech and in that of the Prime Minister which was broadcast on 25 May. Our revolution is the continuation of the October 21 popular revolution. It works for the regeneration of life in our country, for social progress and the raising of the standard of living of the masses of our people throughout the country. It stands against imperialism, colonialism and whole-heartedly supports the liberation movements of the African and Arab peoples as well as other peoples throughout the world.

#### A Historical Background

Dear Countrymen, the Revolutionary Government is fully aware of the magnitude of the Southern problem and is determined to arrive at a lasting solution.

This problem has deep-going historical roots dating back to the last century. It is the result of the policies of British Colonialism which left the legacy of uneven development between the Northern and Southern parts of the country, with the result that on the advent of independence Southerners found themselves in an unequal position with their Northern brethren in every field.

The traditional circles and parties that have held the reins of

power in our country since independence have utterly failed to solve the Southern question. They have exploited state power for self-enrichment and for serving narrow partisan interests without caring about the interests of the masses of our people whether in the North or in the South.

It is important to realise also that most of the Southern leaders contributed a great deal to the present deterioration of the state of affairs in that part of our beloved country. Over the years, since 1950 to the present day they have sought alliances with the Northern reactionary circles and with imperialism whether from inside or outside the borders. Personal gain was the mainspring of their actions.

Dear Countrymen, the enemies of the North are also the enemies of the South. The common enemy is imperialism and neo-colonialism, which is oppressing and exploiting the African and Arab peoples, and standing in the way of their advance. Internally, our common enemies are the reactionary forces of counter-revolution. The 25 May Revolution is not the same as the coup d'etat of November 1958. That was a reactionary move staged by the imperialists in alliance with local reaction in and outside the army. It was made to silence the demands of the masses of our people both in the North and the South for social change and genuine democracy.

The Revolution of 25 May is the very opposite of the coup d'etat of 1958. Our revolution is, we repeat, directed against imperialism, the reactionary circles and corrupt parties that destroyed the October Revolution and were aiming at finally liquidating any progressive movement and installing a reactionary dictatorship.

Dear Countrymen, the revolutionary Government is confident and competent enough to face existing realities. It recognises the historical and cultural differences between the North and South



and firmly believes that the unity of our country must be built upon these objective realities. The Southern people have the right to develop their respective cultures and traditions within a united Socialist Sudan.

In furtherance of these objectives the Revolutionary Council and the Council of Ministers held joint meetings and after a full discussion of the matter resolved to recognise the right of the Southern people to Regional Autonomy within a united Sudan.

### Regional Autonomy Programme

You will realise that the building of a broad socialist-oriented democratic movement in the South, forming part of the revolutionary structure in the North and capable of assuming the reins of power in that region and rebuffing imperialist penetration and infiltration from the rear, is an essential pre-requisite for the practical and healthy application of Regional Autonomy.

Within this framework and in order to prepare for that day when this right can be exercised, the Revolutionary Government is drawing up the following programme:

1. the continuation and further extension of the Amnesty Law;
2. economic, social and cultural development of the South;
3. the appointment of a Minister for Southern Affairs;
4. the training of personnel.

The Government will create a special economic planning board for the South and will prepare a special budget for the South, which aims at the development of the Southern provinces at the shortest possible time.

Dear Southern Countrymen, in order that we may be able to carry out this programme it is of the utmost importance that peace and security should prevail in the South and that life return to normal. It is primarily the responsibility of you all whether you be in the bush or at home to maintain peace and stability. The way is open for those abroad to return home and co-operate with us in building a prosperous Sudan, united and democratic.



APPENDIX II

DRAFT LAW TO ORGANIZE REGIONAL AUTONOMY  
IN BAHR EL GHAZAL, UPPER NILE, AND  
EQUATORIA PROVINCES

In accordance with the provision of Article 6 of the Constitution of the Democratic Republic of the Sudan and in realisation of the memorable May Revolution declaration of 9th June granting the Southern Provinces of the Sudan Regional Autonomy within a United Socialist Sudan and in accordance with the principle of the May Revolution that the Sudanese people participate actively in and supervise the decentralised system of the Government of their country:

It is hereunder enacted

Article I:

This Law shall be called Law for Regional Autonomy in the Southern Provinces. It shall come into force on a date fixed by the President.

Article II:

This law is issued as a basic one which can only be amended through a two-third majority of the People's Council and approved by the President and backing of a popular plebiscite to be conducted in the Southern Provinces in accordance with popular plebiscite Law.

Article III:

It is fitted in the organisation Law of the Regional Autonomy in the Sudan Southern Provinces of Bahr el Ghazal, Upper Nile and Equatoria.

Chapter II  
Definitions

Article IV:

(i) Southern Sudan encompasses the province of Bahr el Ghazal, Upper Nile and Equatoria as determined by present provincial boundaries at the time of the issue of this law.

(ii) National People's Council means that Council which represents the masses of the people in accordance with the Constitutional rules of the Democratic Republic of the Sudan. It also implies any Council to be formed under the Republican Order No.5.

(iii) The Southern Sudanese People's Council means a body which represents the units of Local Popular Government in the provinces of Bahr el Ghazal, Upper Nile and Equatoria.

(iv) High Executive Council - is formed of Deputy Ministers who are appointed and relieved by the President at his own discretion.

(v) The Southern Public Opinion Representatives. This group encompasses the Southern Intellectuals of the University graduates, tribal chiefs, government employees of Scale G. and persons engaged in public affairs.

(vi) Sudanese - This description applies to any citizen of the Sudan in accordance with the nationality regulations.



(vii) Chairman of the High Executive Council - This is a title of the Minister designated by the President to be at the head of the High Executive Council.

(viii) Local Orders: The same as stipulated by the Local Popular Government Law.

### Chapter III FORMATION

#### Article V:

The provinces of Bahr el Ghazal, Equatoria and Upper Nile form administrative unit known as Southern Sudan.

#### Article VI:

The President decrees the establishment of a people's council and a High Executive Council in this unit.

#### Article VII:

The People's Council in Southern Sudan is formed of representatives of Local Popular Government units found in each of Bahr el Ghazal, Upper Nile and Equatoria provinces. Upon consultation with representatives of the Southern opinions, the President shall determine the conditions and qualifications for membership as well as the size of the People's Council.

#### Article VIII:

The Council selects one of its members as a Speaker, provided that the President appoints a qualified person to preside over the first session.

Article IX:

The Council assess a regulation that outlines its tasks.

Article X:

The High Executive Council is formed of Deputy Ministers. They are appointed and at any time relieved of office by the President. They are responsible to him for the proper administration observance of the laws of the Democratic Republic of the Sudan and national behaviour and commitment to the objectives of May Revolution.

Article XI:

The President determines the nature of relations between the members of the High Executive Council in the South and the Central Government Ministers and between the High Executive Council for the South and the Council of Ministers.

Article XII:

The President designates a qualified person in the rank of a Minister to preside over the High Executive Council from his headquarters in the South. The High Executive Council's Chairman is responsible to the President of the Republic. He exercises the powers given to the Commissioners on the level of the three provinces as indicated in the Local Popular Government Law. He is entitled to reside, lead, direct and control over all of the Governmental units operating in the headquarters.

Article XIII:

The Chairman and members of the High Executive Council can



attend and take part in the proceedings of the meetings of the Southern People's Council and Committees; but they do not have the right of voting.

Article XIV:

The Southern People's Council reviews the functioning of the Executive organ and can demand any information related to the various services and can as well question the Chairman and members of the High Executive Council on the manner they carry out their duties and on the fulfilment of duties and responsibilities of any of the administrative organs of the Local Popular Government.

Article XV:

With a 4/5 majority in the Southern People's Council can request the President to relieve the Chairman or the members of the High Executive Council from office if they fall short of the People's Council confidence or fail to efficiently carry out their responsibility. If the President refuses this request, then the matter is put to a referendum in the Southern provinces in order to know the citizens' wishes.

Chapter IV  
JURISDICTION OF THE SOUTHERN  
PEOPLE'S COUNCIL

Article XVI:

The Southern People's Council is vested on the missions of the Local Legislation of all jurisdiction mentioned in the appendix of the Local Popular Government Law, at the level of the three provinces as one unit. The Southern People's Council is authorised to impose local duties and taxes. Upon concurrence of National People's Council, the President may invest in the

Southern People's Council any additional jurisdictions.

Article XVII:

All draft Laws being submitted to the National People's Council should be presented to the Southern People's Council for the latter's information.

Article XVIII:

By a majority of its members the Southern People's Council can request the President to prevent the presentation of draft Law which may affect the welfare and rights and duties of citizens of the three Southern provinces until the Southern People's Council bring forth its comments on such a Law.

Article XIX:

When the President accepts such a request, the Southern People's Council should submit its comments to the President within a fortnight as from the date of his response.

Article XX:

The President keeps the National People's Council advised of the comments of the Southern People's Council on any draft Law laid before the former.

Article XXI:

By a two-third majority along with the approval of the Chairman of the High Executive Council, the Southern People's Council may request the President to postpone the implementation of any Law which is considered by the Council harmful to the welfare and interest of the Southern citizens till a date is fixed by the President.



Article XXII:

The Southern People's Council may request the President to find any Minister to give a briefing on a specific matter. The President positively responds to this request if it is possible to find out such a Minister.

Chapter V  
JURISDICTION OF HIGH EXECUTIVE  
COUNCIL IN SOUTHERN SUDAN

Article XXIII:

The High Executive Council exercise the jurisdictions of the Executive and administrative apparatus in the South of the Sudan on behalf of the President. It collectively exercises such jurisdiction in supervising the civil service departments including the police.

Article XXIV:

The People's Armed Forces are not subject to supervision of the High Executive Council.

Article XXV:

After obtaining approval of the President, the High Executive Council specifies the jurisdiction of the different departments and administration in the South.

Article XXVI:

Upon concurrence of the President, the High Executive Council issues an establishment regulation for the various professions and specialisations in the South. The Council shall also define in the regulation, the qualifications necessary for appointment

in this establishment and the conditions of service therewith and procedure for transfer to the general civil service list and vice versa.

Article XXVII:

The High Executive Council nominates Southerners for membership in the national organisations and final appointment remains a right in the hands of the President.

Article XXVIII:

Out of the general treasury allocation of the Southern Provinces and funds collected locally, the High Executive Council prepares a general budget as indicated by the Local Popular Government Law, and a development budget within the scope of the national development budget. The High Executive Council submits this budget to the Southern People's Council for endorsement.

Chapter VI

The Local and Financial Legislations

Article XXIX:

The Southern People's Council issues local legislations in the form of orders which have the force of law. Through those orders, the council exercises the organisation of and control over, the citizens permanently or temporarily in the three Southern Provinces. The President, however, may suspend any order if he deems that it contradicts with the constitutional principles, violates security and public order or breaks the rules of justice and citizenship.



Article XXX:

The Chairman and members of the High Executive Council can submit draft local orders before the People's Council.

Article XXXI:

Any member of the People's Council can submit a draft local order if the Speaker of the Council grants a permission after examination of the draft order and making sure of its suitability for presentation before the Council.

Article XXXII:

Any draft local order which affects the returns or expenditure of the Central or Local Government, or the budget of the Southern Provinces, whether collectively or separately, can only be presented after securing the permission from the High Executive Council's Chairman, who should prior to granting such a permission, consult the concerned quarters.

Chapter VII  
Local Press Summary  
General Provisions

Article XXXIII:

When exercising the authority of the regional autonomy, the Southern People's Council and the High Executive Council should work to maintain the country's unity, promote the civilisation features of the various Southern Communities, develop the local resources and uphold and respect the consultation.

Article XXXIV:

In order to further the national unity and serve the interest

of the Sudan as a whole the High Executive Council may establish joint Councils of the Local Popular Government Units in the neighbouring provinces so as to realise the purpose fixed by the Council.

Article XXXV:

Any Law or local order which hinders immigration or freedom of communication between the North and South should not be enforced except for health and security reasons.

Article XXXVI:

It is prohibited to enact laws or regulations that discriminate between the Sudanese citizens in the Southern provinces in practising commercial activities, schooling, medical treatment at hospitals, enjoyment of public services or practising any private business. The appointment of any Sudanese in the public posts should not be impeded because of his race, tribe, language or place of birth.

Article XXXVII:

Any Sudanese who feels that a discriminating act has been made against him by a certain administrative body or popular council, can raise the case to the Southern Provinces High Court of Justice whose decision in the matter will be binding to all parties.

Article XXXVIII:

Any order or regulation that interdicts the freedom of worship and creed of any Sudanese group should not be issued.



Article XXXIX:

Foreign organisations are not allowed to carry out any activity in the Southern part of the Sudan unless the President gives his approval.

Article XL:

Education and Medical Services are controlled by the governmental agencies. The High Executive Council, however, may accept donations from charity societies, provided that it will be responsible for making use of such donations.

Article XLI:

The town of Wau is the capital of the three Southern provinces. It is the headquarters of the Chairman and members of the High Executive Council. The meetings of the Southern People's Council are convened there.

Dr. Gaafer Mohammed Ali Bakheit  
Minister of Local Government

Khartoum (9.9.71)

### APPENDIX III

RECOMMENDATIONS OF THE ADVISORY COMMITTEE ON  
SOUTHERN AFFAIRS ON THE CONTENT AND MEANING  
OF  
REGIONAL SELF-GOVERNMENT AND THE POWERS OF  
THE AUTONOMOUS SOUTH

#### PREAMBLE

We, the members of the Advisory Committee on Southern Affairs, having been directed by the Minister of State for Southern Affairs on the 2nd of August 1971, to study and make recommendations on the content and meaning of Regional Self-Government and the powers of the Autonomous South in accordance with the June 9th, 1969 Declaration of the Revolutionary Government, having considered the various aspects of regional self-government suitable for the South do recognise:

That, since the 9th June Declaration, some practical steps have been taken to give hope for meaningful life to the ordinary citizens in the South,

That the speeding up of the full implementation of the policy will indeed normalize the situation in the South and put an end to foreign intervention in our internal affairs,

That development is an essential pre-requisite for a meaningful regional self-government in the South,

That political, economic and administrative developments are in themselves important instruments in normalising the situation and putting an end to insecurity in the South, and,



Realizing the efforts of the Revolutionary Government to bring about peace in the South, we urge the need to encourage contacts with a view to finding a possibility for a dialogue with those outside.

We therefore submit these recommendations covering the following aspects:-

1. Political and Constitutional,
2. Economic and Social Development,
3. Cultural

as comes hereunder:-

## I. POLITICAL AND CONSTITUTIONAL

Our recommendations fall under these headings:-

1. The nature of the State,
2. Fundamental Rights and freedoms,
3. The National Legislative and Executive Power,  
and
4. Powers of the Autonomous South.

### A. THE NATURE OF THE STATE:

1. We recommend that the Sudan should be a secular sovereign Democratic Socialist Republic whose system of Government is based on decentralization whereby the South enjoys Regional Autonomy.

We would like to explain what we mean by "Secular". By this term we mean that the National Legislature shall not make any law for establishing any religion; and no religious test should be required as a qualification for any office of Public Trust in the National Government and Autonomous South.

2. Sovereignty in the state should belong to the people who shall exercise it in the forms determined by the Constitution

and Laws emanating from it.

3. Arabic should be the official language of the State but without prejudice to the use of English language.

We think it is important that English language should continue for sometime to come as a second language in the Sudan and in particular in the Autonomous South since the Southern intelligentsia and many others who would be involved in the machinery of the Government are not versed in Arabic. Strict requirement that Arabic should be the only language in the day to day activities of the government would hinder the participation of many other Southern Sudanese in the running of the government of their country and this would amount to a de facto discrimination based on language.

## **B. FUNDAMENTAL RIGHTS AND FREEDOMS**

In addition to other rights and freedoms that should be guaranteed in the permanent constitution we recommend strongly the following:-

### **1. Equality of citizens:**

i) All citizens without distinction based on race, national origin, birth, language, sex, religion, economic or social status should have equal rights and duties before the law.

ii) All persons should be equal before the courts of law and should have the right to institute legal proceedings in order to remove any injustice or declare any right in an open court without delay prejudicing their interests.

### **2. Personal Liberty:**

i) Penal liability should be personal. Any kind of collective



punishment should be prohibited.

ii) The accused should be presumed innocent until proved guilty.

iii) Retrospective Penal Legislation and punishment should be prohibited.

iv) The right of the accused to defend himself personally or through an agent should be guaranteed.

v) No person should be arrested, detained or imprisoned except in accordance with the process of law; and no person should remain in custody or detention for more than 24 hours without judicial order.

vi) No accused person should be subjected to inducement, intimidation or torture in order to extract evidence from him whether in his favour or against him or against any other person; and no humiliating punishment should be inflicted on any convicted person.

### 3. Freedom of Religion and Conscience:

i) Every person should enjoy freedom of religion, opinion, conscience and the right to profess publicly and privately his religion and to establish religious institutions subject to reasonable limitations in favour of morality, health or public order as prescribed by law.

ii) Parents and Guardians should be guaranteed the right to educate their children and those under their care in accordance with the religion of their choice.

#### 4. Protection of Labour:

- i) Forced and compulsory labour of any kind should be prohibited except when ordered for military or civil necessity or pursuant to penal punishment prescribed by law.
- ii) The right to equal pay for equal work should be guaranteed.

#### 5. Freedom of Minority to use their Language and develop their culture:

Minorities should be guaranteed the right to use their languages and to develop their culture without prejudice to the right of the state to impose the official language in the educational institutions and in the Ministries and Government Departments.

### C. THE LEGISLATIVE AND EXECUTIVE POWERS

In discussing our recommendations on the legislative and executive powers, we had to determine these powers having in mind the ninth of June Declaration granting Regional Autonomy to the South. The Committee would like to submit the following recommendations on the Legislative and Executive Powers of the National Government and those of the Autonomous South:-

#### 1. National Legislative and Executive Powers:

- i) The National Legislative Power should be vested in the People's Assembly.
- ii) The People's Assembly should be competent to legislate on any matter not transferred to the Autonomous South and in particular it should have exclusive powers on the following:-
  - 1. National Defence,



2. External Affairs,
3. Currency and Coinage,
4. Communication and Tele-Communications,
5. Foreign Trade and Customs,
6. Nationality and Immigration.

iii) On the National Executive Power, we recommend Presidential system of Government whereby the President of the Republic is both the Head of State and of the Government.

We recommend also that the President should appoint two or more Vice Presidents provided at least one should be from the Autonomous South.

## 2. Legislative and Executive Powers of the Autonomous South:

i. It is recommended that the Three Southern Provinces of Bahr El Ghazal, Upper Nile and Equatoria should form the autonomous South in accordance with the 9th of June Declaration.

ii. The Legislative Power of the Autonomous South should be vested in an elected Assembly.

iii. It is recommended that the elected Assembly subject to the provisions of the constitution should make laws for peace, order and good government in the South and in particular in respect of the following:-

- (1) Raising of money for Regional purposes.
- (2) Regional and Local administration.
- (3) The administration of justice in accordance with traditional law and custom.
- (4) The establishment, and maintenance of asylums, prisons and reformatory institutions in the Region.
- (5) The establishment, maintenance and management

of public schools up to any level provided that the National policy covering the syllabuses, planning and definition of qualifications and standards is adhered to; and, provided further that this does not relieve the National Education Authority of its duty to establish educational institutions in the Region from Senior Schools upwards.

- (6) The development of local languages and local cultures.
- (7) The establishment of roads, villages and towns.
- (8) Regional public information services.
- (9) The organisation of Regional industries, markets, trade licences and the formation of co-operative societies.
- (10) The establishment, maintenance and management of public hospitals, without prejudice to the duty of the National Health Authority to establish, maintain and administer hospitals in the Region.
- (11) The conduct of environmental health services, maternity and child welfare services, public health education, the supervision of markets, the control of endemic diseases, the training of medical auxiliaries and village midwives and the establishment of dispensaries and dressing stations and health centres.
- (12) The promotion of tourism, the organisation of exhibitions, museums and zoos.
- (13) The carrying out of excavations without prejudice to the right of the National Authority in this field.
- (14) The recruitment training and employment of Regional Police provided that at the time of



emergency, the National Executive Authority has the right to place all the Regional Police under its direct control.

- (15) Land use in accordance with the National Development Plan.
- (16) The protection of forests, crops and pastures in accordance with national laws.
- (17) The development and protection of animal wealth in accordance with national laws.
- (18) All other subjects in respect of which the National Legislature shall, by law, delegate to the Autonomous South.

iv. It is recommended that Executive Authority in the South should be vested in a Governor.

v. The President of the Republic shall appoint as a Governor a person who should be a citizen from the South and qualified for the membership of the People's Assembly. It is a considered view of the Committee that such a person appointed as a Governor should be somebody who enjoys the confidence of the above elected Assembly.

vi. It is also recommended that the members of the Executive Council be appointed by the Governor himself.

vii. The Governor shall be responsible to the President of the Republic or the person acting on his behalf for the supervision of National services in the South as well as for the Execution of both the National and Regional Laws in the South, and should exercise the following powers:-

- (1) The execution of the Regional Laws passed by the Regional Assembly within its powers.
- (2) To carry out the following matters in accordance with the National laws:

- a) The protection of forests and crops and pastures.
- b) The development and protection of animal resources.
- (3) To carry out the following matters in accordance with the National laws and policies:
  - a) Recruitment training and employment of the Regional Police in a way not contradictory with the usual Police duties.
  - b) The implementation of the educational policy drawn by the National Educational Authority for the Regional Educational institutions.
  - c) The development of agriculture and the utilization of land in accordance with the National Development plan.
  - d) The implementation of the policies of the National Health Authority on the manner of establishing and maintaining Regional Hospitals.
  - e) The execution of the labour policy drawn by the National Authority.
  - f) To carry out any executive matters delegated to it by law or order passed by the People's Assembly or the President.

viii. The finance of the Autonomous South should consist of the following:-

- (1) Direct taxation and exploitation of natural resources.
- (2) Grants-in-aid from National Government.
- (3) Loans and other local sources.

ix. We recommend that all moneys or revenues raised or received from the National Government and any other source should form one consolidated revenue fund to be appropriate for



the purpose of running the Government activities of the Autonomous South in the manner prescribed by law and subject to charge and liabilities imposed by the constitution.

#### D. GENERAL PROVISIONS

1. It needs no recommendation from us to state that whenever a law passed by the Autonomous South on power surrendered or delegated to it by the constitution or by any other National Law is inconsistent with the constitution or the National Law the latter, that is the constitution and the National Law, shall prevail over the Regional Law to the extent of the inconsistency.

2. Realizing the commitment of the Revolutionary Government to a peaceful and political settlement of the Southern problem as evidenced, for instance, by the Amnesty Law, and the efforts of the Minister of State for Southern Affairs to bring about peace and security in the South, and Committee recommends that efforts should be made to establish contacts with a view of finding possibility for dialogue with the rebel leadership.

#### II. ECONOMIC AND SOCIAL DEVELOPMENT:

Our recommendations on this consist of:-

1. General requirements.
2. Production.
3. Services.
4. Transport & Communications, and
5. Industries and Power.

#### A. GENERAL:

1. In order to avoid difficulties so far encountered in the process of implementing schemes approved for the South which have

been caused by the apparent duality of functions with the regional directors in the performance of their duties, it is recommended that:

- (a) The office of the Minister of State for Southern Affairs be given Executive powers.
- (b) The Deputy Minister already proposed should be appointed and to be resident in the South,  
and
- (c) All local development programmes should come under this office and the regional directors should become officials of the office of the Ministry of State for Southern Affairs.

2. Those schemes promised by the President during his visit to the South in August 1969 which have not been implemented should be implemented.

3. Considering that economic development cannot be separated from social development, it is recommended that the Council of Ministers Resolution No. 1249 of 6.1.71 should be amended to include social services and that establishments of these services should be pushed to the rural areas as much as possible in order to avoid congestion of towns.

4. That the Juba Commercial Bank should be encouraged to pursue more vigorously its role as announced by the President, i.e. financing development projects in the South and stimulating trade between the Sudan and neighbouring African Countries. The appointment of a Southerner on the Board of Directors was noted with pleasure, but it was felt that a Southerner should be appointed General Manager. It is also recommended that more Southerners should be appointed into the Board of Directors through the Minister of State for Southern Affairs.



5. It is emphasized that national projects are the responsibilities of the Centre in coordination with the Ministry of State for Southern Affairs, but that projects under the local development budget should be executed through the Office of the Minister of State for Southern Affairs.

6. Recommendations of the Erkowit Conference at Juba should be adopted by the Government.

7. The Co-ordination and Planning Council should be the planning authority for the region and should perform this function in accordance with the Central Planning authority.

8. For the promotion of international trade with neighbouring African and Arab countries, the licencing authority should be decentralized through the Ministry of Foreign Trade having fully accredited senior officials in the regions to issue such licences without recourse to Khartoum. This office should also be created in the South.

9. There should be organized in the South mass co-operative activities financed initially by the Government on the community development pilot project basis for the purpose of raising the economic, social and cultural standards of the people.

## B. PRODUCTION:

### 1. AGRICULTURE AND FORESTRY

In the field of Agriculture and Forestry the Committee recommend the following:-

#### SHORT-TERM SCHEMES

a) The expansion and development of the plantations of the following crops: tobacco, tea, coffee, rice, jute, chillies and cocoa.

- b) A self-sufficiency scheme, particularly for durra, in Bahr El Ghazal Province. The Chueibet scheme was specifically recommended similar to that of Kapoeta and Melut.
- c) Revival of the growing of Cotton in the East bank of Equatoria.
- d) The establishment of Mongalla and Melut Sugar Schemes.
- e) The revival and development of old forest services and the opening of new forest development areas.
- f) Improvement of the Juba Forestry Workshop.

#### FIVE-YEAR PLAN:

- g) The establishment of the rubber plantation scheme in the triangle formed by Maridi, Rumbek and Tonj.
- h) Agricultural development in the central and southern Upper Nile particularly for fruits and vegetables.
- i) Expansion of the growing of fruits and vegetables in Western Equatoria and Western Bahr El Ghazal.

#### 2. ANIMAL WEALTH & FISHERIES:

##### SHORT-TERM

- a) The development of dairying in Upper Nile and Bahr El Ghazal Provinces.
- b) Re-organizing of the Fishing industry including marketing facilities on co-operative basis.



## FIVE-YEAR PLAN:

c) Redoubling efforts to eradicate animal diseases, particularly tse-tse flies, in Western Equatoria and Eastern Bahr El Ghazal.

## 3. GEOLOGICAL SURVEY:

It is recommended that the five-year plan should include a programme of a proper geological survey of the South in an effort to discover mineral wealth and under-ground water resources.

## C. SERVICES

### 1. EDUCATION:

#### SHORT-TERM

a) The retardation in educational growth in the South in the recent past due to security problems is noted with much concern and the need to enhance its growth is urged. To realize this the Committee noted that there is now shortage of school buildings all over the South and that some of these buildings are presently occupied by the People's Armed Forces. It was therefore recommended that the People's Armed Forces should find alternative accomodation so that these schools operate fully again.

b) Expansion in education at various levels should be started immediately.

c) Southern schools now in the North should be re-established in the South as soon as possible.

d) Continuation of boarding school facilities in the South until such time that they can be dispensed with.

- e) The introduction of mass literacy campaign.

### FIVE-YEAR PLAN

- d) The Committee recommend that the establishment of a University in the South should be included in the five-year plan.

### 2. TRAINING: (SHORT-TERM)

- a) Opening of an Agricultural Institute at Yambio.
- b) Reopening of the Yambio Agricultural Research Centre.
- c) Reopening of the Teachers Training Centre at Tonj.
- d) Proper institute of education for the training of primary and junior secondary school teachers should be opened in its old place at Maridi or wherever possible inside the South.
- e) Establishing of vocational training centre in Juba and Malakal and the improvement of that of Wau.

### FIVE-YEAR PLAN:

- f) Establishing a veterinary training institute in the South.
- g) Establishing a forestry training institute in the South.

### 3. HEALTH:

#### SHORT-TERM

- a) The Committee recommends the establishment of a midwifery school in each of the three provinces.



## FIVE-YEAR PLAN

- b) Establishment of three hospitals one in each province for T.B.
- c) Establishment of two hospitals, one in Western Equatoria and the other in Eastern Bahr El Ghazal for leprosy.
- d) Raising the Juba hospital to a regional hospital so as to cater for the three Southern Provinces as promised by the President.

## 4. RESETTLEMENT:

### SHORT-TERM

Considering that the question of resettlement and rehabilitation is connected with the question of development, the Committee recommends that the functions of the Resettlement Officer at this Office should be expanded and his office moved to the Headquarters in the South and that funds for resettlement should be put at the disposal of the Minister of State for Southern Affairs. Where possible resettlement should be connected with development schemes.

## 5. HOUSING

Regarding housing as an important factor in development, the Committee recommends that this Office should approach the Ministry of Housing to prepare town-plans for Southern towns and that plots thus prepared be distributed on nominal charges to citizens and the Estate Bank is urged to facilitate loans for building on easy terms.

## D. TRANSPORT AND COMMUNICATIONS

### 1. TRANSPORT BETWEEN NORTH AND SOUTH: SHORT-TERM

a) Noting that equipments and consumable goods do not reach the South easily the Committee recommends that the Sudan Railways services to the South should be increased by:

- i) Introducing more steamers between Kosti and Juba.
- ii) Creating a local service between Malakal and Juba by utilizing the Province steamers in Upper Nile.
- iii) Private organizations should be encouraged to take part in transportation.

b) The Minister of State for Southern Affairs should appoint a representative in Kosti to be responsible for transportation of goods to the South; and another official in Khartoum to look after goods for the South going to Kosti.

c) Goods and passengers for Wau should be transported by trains leaving directly for Wau from Khartoum. This would solve the problem of goods leaving for Wau lying along the railway lines and passengers waiting for the Nyala train.

d) This office should agree with the Ministry of Foreign Trade and the Bank of Sudan to facilitate purchase of capital goods from abroad and with the Ministry of Treasury for approval of the funds.

### 2. TRANSPORTATION WITHIN THE SOUTH: SHORT TERM

a) The Committee felt that transportation inside the South



requires a special study and recommends that a special Committee be set up to do this.

b) Because of shortage of cars for development schemes in the South, this office should make a special effort with Pool-car Committee so that it gives special consideration to the needs of the South.

c) The Committee recommends that Malakal should be made the Headquarters of Sudan Railways for the South instead of Kosti.

d) Reconstruction of Shambe Port should be speeded and provisions for it should be raised sufficiently to cater for the scheme.

e) The general improvement of communications in the South was recommended as pressing.

f) The construction of the Jur River Bridge should commence immediately.

g) Development of tele-communications in the South, especially, telephone and telegraphs services to link the Three Southern Provinces to be established immediately.

#### FIVE-YEAR PLAN

h) There is an acute need for a bridge at Juba to link the East and West Banks and to encourage trade with Uganda.

i) The railways should be extended from Wau to Juba and from Damazin to Kosti or Malakal.

j) The proposed Kosti-Malakal road should be pursued.

k) Expansion of air services in the South by developing dis-

strict airfields and purchasing Twin Otters or equivalent for internal communication as exists in the North.

## E. INDUSTRY AND POWER:

### SHORT-TERM

1. The revival of the Yirol Oil Pressing Mills.
2. The establishment of small-scale industries such as cold stores, soap factories, oil mills and demonstrative cooperative industries.

### FIVE-YEAR PLAN

3. Noting that power is essential for industrial development, the Committee recommend that the Bedden-rapids hydro-electric power scheme (25 km. South of Juba) should be carried out in accordance with the recommendations of the Southern Development Investigation Team. It is also recommended that survey for further courses of power should be carried out in the various parts of the South.
4. Extension of transmission from Damazin to Malakal to boost industrial development in Upper Nile Province.
5. The following factories were recommended:-
  - a) Mongala and Melut Sugar factory,
  - b) Jute factory,
  - c) Reptiles factory,
  - d) Paper factory,
  - e) Fruit canning factory at Yambio,
  - f) Textile industry in Eastern Equatoria,
  - g) Beer factory in Bahr El Ghazal,
  - h) Tobacco and Cigarettes factory,



- i) Rubber factory, and
- j) Tannery.

### III. CULTURE

Our recommendations on this consist of:

1. Terms of reference
2. Definition of Culture
3. Education
4. Arts
5. Customs and Law.

#### A. Terms of Reference:

Our recommendations are based on 9th of June, 1969 Declaration, which states in particular that "The Southern people have the right to develop their respective cultures and tradition within a united Socialist Sudan".

#### B. Definition of Culture:

In our understanding, culture consists of education, religion, arts, customs, values and ideas.

#### C. Education:

##### 1. General

We understand education, in its widest sense to include both the formal school system and the various media of information i.e. radio and television, public lectures, newspapers and magazines. In this respect we recommend:-

- a) Formal School Education - That major local languages should be taught at the primary level according to the following

arrangements:-

- i) From the first year to third year, Arabic should be taught as a subject while major local languages should be used as media of instruction.
- ii) From the third year to the sixth year the medium of instruction should be Arabic while the local languages should be taught as subjects.
- iii) At the end of the sixth year local languages should be dropped out of the syllabus and Arabic continues as a medium of instruction and as a subject.
- iv) The reason why we recommend the above are:-
  - 1) Language is an instrument through which culture can be developed, through speaking and writing. Hence the necessity to commit some of the major languages to writing.
  - 2) As to the script: Roman script should be recommended in the short run; for the future action should be taken to make Arabic script, if possible, usable in the Southern languages. Should this become impractical, Roman script should continue.
  - 3) Local languages for educational purposes should be grouped and scientifically studied and developed.
  - 4) Arabic is not spoken in the homes of many children. Teaching a child in a language not spoken at home at this stage of education would deprive the child of the necessary help and would isolate the child and school from the family. It is educationally and psychologically inadvisable to teach a child in a language not spoken in his home.
  - 5) The same policy of teaching English as a subject, beginning from the first year gen-



eral secondary level, should be adopted in the South.

## 2. Means of Communications and Developing Culture:

That the Ministry of Information and Culture in connection with Ministry of Southern Affairs should develop:-

- a) Radio and Telecommunication
- b) Newspapers and Magazines
- c) Records of Southern Music and Songs
- d) Reorganization and development of Southern programme of Radio Omdurman and appointment of better qualified and competent staff and bring the programme under the Ministry for Southern Affairs.

## D. ARTS :

The Committee recommends the following:-

1. Establishment of Regional Council for Arts in the South under the supervision and direction of Ministry for Southern Affairs.
2. Establishment of folklore theatres in the South where tribal arts - Dances, Music, Poetry, Drama and other artistic performances - could be performed and developed.
3. In regards to Crafts, establishment of art galleries in the South for the preservation, exhibition and observation of all available samples of old and new artistic productions.

## E. CUSTOMS & LAW:

The Committee recommends that,

Whereas Social and Moral behaviour is determined by a person's social norms, rules and laws and

Whereas many Southern Sudanese who came to the Northern Sudan - mainly in towns and cities - have little or no knowledge of social norms, rules, laws, and ignorant of the Arabic language, being acquainted only with their moral and customary civil laws,

That, as is a case in all Southern towns and cities, customary courts should be established in Northern towns and cities (such as the Three Towns, Gadaref, El Obeid, etc.) and else-where where there are many southerners, with most of the judges representing the major tribal customary laws; or, that these judges should sit in various town branches in the Three Towns or elsewhere,

That the functions of these courts are to settle civil cases, which cannot be dealt with in Northern (Sharia) Courts because of their customary background, such as marriage and divorce, individual disputes, etc.

Please accept our highest regards.

ADVISORY COMMITTEE ON SOUTHERN AFFAIRS:-

signed:

- |                         |                        |
|-------------------------|------------------------|
| 1. Andrew Wiau Riang    | 9. Martin Marial       |
| 2. Dr. Angelo L. Loiria | 10. Moses Chuol        |
| 3. Cleto H. Rial        | 11. Moses Majok        |
| 4. Edward Doro          | 12. Natale O. Akolawin |
| 5. Ezekiel M. Kodi      | 13. Peter G. Gual      |
| 6. Henry Khamis Wani    | 14. Samuel Aru Bol     |
| 7. Hilary P. Logali     | 15. Samuel Lupai Laila |
| 8. John Gute Said       | 16. Sapana Jambo       |

Khartoum: 30th August, 1971.



APPENDIX IV  
THE SOUTH SUDAN LIBERATION MOVEMENT  
ANYA NYA

RECOMMENDATIONS

- for -

a new Constitution for the Republic  
of the Sudan

Introduction

The South Sudan Liberation Movement - SSLM - has agreed to negotiate with the Sudan Government for a peaceful solution of the SOUTHERN PROBLEM on the basis of ONE SUDAN.

The SSLM is prepared to reach a political solution whereby South Sudan enjoys a FEDERAL STATUS WITHIN ONE SUDAN.

It has always been the stand of the people of South Sudan since the 1947 JUBA CONFERENCE that, while accepting the unity of the Sudan, they have historical and cultural heritage which distinguish them from the rest of the people in other parts of the Sudan and which require political recognition.

In pursuance of this goal and in order to protect the special interests of the South, the Southern people came to the conclusion since 1952 that, in order to safeguard the unity as the historical cultural and economic rights of the South, the ideal solution lies in a federal system of government.

This political stand of the South was accepted by the Nation in principle in the historic Resolution of the Sudanese Parliament of December 19, 1955 which states that "the demand of the South for a federal relationship with the North shall be given

full consideration by the forthcoming Constituent Assembly". What has happened since independence of the Sudan in 1956 is an open record. The aspirations as well as the interests of South Sudan were deliberately flouted and the Southern people were compelled to take up arms in the defence of their rights and heritage. This has greatly undermined confidence between the North and the South.

Nevertheless the SSLM is sensitive to the present desire and willingness of the present government in Khartoum to find a lasting solution to the conflict.

It is the considered view of the SSLM that, whereas a Confederal System of government would reduce mutual suspicion and facilitate progressive creation of a unified nation in the Sudan, material conditions may render this difficult and the SSLM therefore accepts a Federal System of government.

Furthermore, it is the considered view of the SSLM that a new Constitution, aimed at ensuring political stability and social advancement in the Sudan, should be ideally based on a four-region Federation.

However, should this not be possible, at least for the present time, the SSLM would accept a Federal Constitution based on two regions - the North and the South.

The South would comprise the provinces of Bahr el Ghazal, Equatoria and Upper Nile, Abeiy and other areas that are culturally a part of the Southern complex. The North would consist of the remaining parts of the country. There should be a Federal Government in Khartoum and separate Regional Governments in the Regions.

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## A. THE STATE

This should be known as THE FEDERAL DEMOCRATIC REPUBLIC OF THE SUDAN. It should be a Secular State.

Arabic would be its principal language in the North and English the principal language in the South. This should not imply prejudice for the use and development of local languages in the North and in the South.

The affairs of the Federal Government would be conducted in Arabic and English. There should be a provision for translation into English or Arabic where members of the Federal Government were unable to speak, write or understand either language fluently.

After a period of five years, when the new Constitution has had time to be implemented, a committee should be formed from the two regions to work out a new policy on the subject.

## B. THE FEDERAL GOVERNMENT

The organs of the Federal Government shall consist of

- 1) The Federal Legislature
- 2) The Federal Executive
- 3) The Federal Judiciary

## C. THE FEDERAL LEGISLATURE

This shall consist of two Chambers: the House of Representatives elected on adult universal suffrage, and the House of Senate, composed of equal Representatives of the Regions.

The Federal Legislature shall legislate on the following:

- 1) National Defence
- 2) External Affairs
- 3) Communications and Telecommunications
- 4) Nationality and Immigration
- 5) Currency and Coinage
- 6) Limited functions relating to Foreign Trade and Customs
- 7) Control of Epidemic diseases, drugs, narcotics, poisons, licensing of medical practice and Registration of Doctors.

All residual powers should be vested in the Regions.

#### D. THE FEDERAL EXECUTIVE

The President shall be the head of State as well as head of government. He shall be elected on adult universal suffrage and shall hold office for four years. He shall be assisted by two vice-presidents, one from each Region, and elected on the same ballot with the President.

The President shall have a Cabinet composed of nominated members wholly or partially from the Federal Assembly. Members of the Cabinet shall lose their right of membership in the Assembly and shall be replaced through a system of automatic substitution.

#### E. POWERS OF THE PRESIDENT

- 1) He would act as Chairman at meetings of the Federal Government and would represent the State on all State occasions.
- 2) He would sign all Federal Enactments and would be entitled to veto any legislation which he did not consider



was in the interest of the country.

- 3) In the event of the President exercising the veto the legislation would go back to the Federal Assembly for reconsideration, and if the President exercised the veto for a second time on the same legislation then the law in question would have to be approved by both Regional Assemblies.
- 4) Diplomatic representatives abroad would be appointed by the President acting on the advice of the Federal Government.
- 5) He would have power to declare a State of Emergency covering the whole country subject to ratification by both Regions within thirty days.
- 6) He would have power on the recommendation of the Governor of the Region to declare a state of Emergency in that Region (the Governor himself acting on the recommendation of the Regional Assembly).

#### F. THE REGIONAL GOVERNMENTS

These would consist of elected Assemblies on the basis of full adult franchise but during the first three to five years of the Constitution, it might be necessary for persons to be nominated to the Regional Assembly. Care would need to be taken to ensure that all shades of opinion within the Region were represented in the initial appointments. The persons entrusted with the appointment should be settled by the leaders of the people and committees set up to hear representations by sections of the community who felt they were either inadequately represented or not represented at all.

From the persons elected and nominated a small Executive Council would be appointed of which the Governor would be ex officio Chairman. This body would elect from among themselves a Premier and Ministers covering the different sections of Government. Members of the Regional Assembly would not be

eligible to be members of the Federal Assembly at the same time and any member appointed to the Federal Government would have to resign from the Regional Assembly.

### G. THE GOVERNORS

Each Region would nominate a Governor. The President acting on the advice of the Regional Assembly would appoint the person in question as Governor of the Region. The President would have power to remove a Governor on the advice of the Regional Assembly.

### H. THE JUDICIAL SYSTEM

This shall consist of a Federal Judiciary and Regional Judiciary. In case of conflict the Federal Judiciary shall prime over the Regional Judiciary.

Each Region (North and South) shall continue to use the judicial system to which it has previously been accustomed.

### I. FUNDAMENTAL RIGHTS AND FREEDOMS

The following should be guaranteed by the Constitution of the Federal Democratic Republic

1. A citizen should not be deprived of his citizenship
2. Equality of citizens
  - (i) All citizens without distinction based on race, national origin, birth, language, sex, economic or social status, should have equal rights and duties before the law
  - (ii) All persons should be equal before the courts of law and should have the right to institute legal proceedings in order to



remove any injustice or declare any right in an open court without delay prejudicing their interests

### 3. Personal liberty

- (i) Penal liability should be personal. Any kind of collective punishment should be prohibited.
- (ii) The accused should be presumed innocent until proved guilty
- (iii) Retrospective Penal Legislation and punishment should be prohibited
- (iv) The right of the accused to defend himself personally or through an agent should be guaranteed
- (v) No person should be arrested, detained or imprisoned except in accordance with due process of law, and no person should remain in custody or detention for more than twenty-four hours without judicial order
- (vi) No accused person should be subjected to inducement, intimidation or torture in order to extract evidence from him whether in his favour or against him or against any other person, and no humiliating punishment should be inflicted on any convicted person

### 4. Freedom of Religion and Conscience

- (i) Every person should enjoy freedom of religion, opinion, conscience and the right to profess them publicly and privately and to establish institutions subject to reasonable limitations in favour of morality, health or public order as prescribed by law.

- (ii) Parents and guardians should be guaranteed the right to educate their children and those under their care in accordance with the religion of their choice.

## 5. Protection of labour

- (i) Forced and compulsory labour of any kind should be prohibited except when ordered for military or civil necessity or pursuant to penal punishment prescribed by law
- (ii) The right to equal pay for equal work should be guaranteed

## 6. REVENUE

The finance of the Region shall consist of the following

- (1) Direct and indirect taxation
- (2) Grants-in-aid and loans from the National Treasury
- (3) Any other source of local revenue

## K. EDUCATION

Education has not been included in the list of subjects upon which the Federal Government would legislate. It should be recognised that the right for the establishment, maintenance and management of public schools up to any level lies with the Regions. However, national policy relating to syllabuses, planning and definition of qualifications and standards should be adhered to. Furthermore, this does not relieve the national educational authority of its obligation to establish institutions for post-secondary education.



## L. SECURITY

### a) Police and Prisons

Each Region would provide its own police force and prison warders, but a Central Training School should be set up to which candidates from each Region shall be sent.

A Central Advisory Police Authority would be set up in the Federal Capital and would have a force available for use in the Federal Capital. Also this Authority on request from a Region would supply specialised officers e.g. in Drugs and other offenses of that nature, and would have a police laboratory available for use by both Regions. The Central Police Advisory Authority would also be in communication with Interpol.

### b) Regional Army

There shall be a Regional Army composed of the inhabitants of the Region. In the case of the South the Anya-Nya shall form the basis of the Regional Force.

### c) National Defence

There shall be no Federal Army, but the Federal Government shall have power to call upon all Regional Armies in case of external threat.

## M. CENSUS

A Board should be constituted consisting of an equal number of nominees from each Region.

N. NAVIGATION ON THE NILE RIVER

A Board should be constituted consisting of an equal number of nominees from each Region to deal with all navigational and other matters relating to the Nile River.

O. FLAG

There should be a National Flag agreed upon by both Regions.

P. AMENDMENT

Amendment of any provision of the Constitution shall only be valid if passed by four-fifths majority of the total number of members of the Federal Assembly and confirmed by two-thirds majority in a Referendum conducted in each Region.

\*\*\*\*\*

February 15, 1972



APPENDIX V

DRAFT LAW TO ORGANIZE REGIONAL SELF  
GOVERNMENT IN THE SOUTHERN PROVINCES  
OF THE DEMOCRATIC REPUBLIC OF THE SUDAN

In accordance with the provisions of Article \_\_\_\_\_ of the constitution of the Democratic Republic of the Sudan and in realization of the memorable May Revolution declaration of 9th June granting the Southern Provinces of the Sudan Regional Autonomy within a United Socialist Sudan and in accordance with the principle of the May Revolution that the Sudanese people participate actively in and supervise the decentralised system of the Government of their country:

It is hereunder enacted:

Article I:

This law shall be called the Law for Regional Self Government in the Southern Provinces. It shall come into force on a date fixed by the President.

Article II:

This law shall be issued as an organic law which cannot be amended except by a two-third majority of the People's Council and confirmed by a referendum held in the Provinces of Bahr El Ghazal, Upper Nile and Equatoria, in accordance with the provisions of the Public Referendum Law and subject to the President's approval.

CHAPTER II  
DEFINITIONS

Article III:

- (i) Constitution refers to the Republican Order No.5 or any other basic law replacing or amending it.
- (ii) "President" means the President of the Democratic Republic of the Sudan.
- (iii) "Southern Provinces of the Sudan" means the Provinces of Bahr El Ghazal, Equatoria and Upper Nile in accordance with their boundaries as they stand on the coming into force of this law.
- (iv) "Regional People's Council" refers to the elected legislative body for the Southern Provinces of the Sudan.
- (v) "High Executive Council" refers to the Executive Council appointed by the President to supervise the administration and direct public affairs in the Southern Provinces of the Sudan in accordance with the provisions of this law.
- (vi) "People's Council" refers to the National Legislative Council representing the people of the Sudan in accordance with the constitution.
- (vii) "Sudanese" refers to any Sudanese citizen as defined by the Sudanese Nationality Act. 1957 and any amendments thereof.
- (viii) "President of the High Executive Council" refers to the person appointed by the President to lead and supervise the executive organ responsible for the administration of the Southern Provinces.



### CHAPTER III

#### Article IV:

The Provinces of Bahr El Ghazal, Equatoria and Upper Nile shall constitute an autonomous Region within the Democratic Republic of the Sudan and the said autonomous Region shall be known as the Southern Region of the Sudan.

#### Article V:

The Southern Sudan shall have legislative and executive organs, the functions and powers of which are defined in this law.

#### Article VI:

Arabic shall be the official language for the Southern Region of the Sudan without prejudice to the use of any other language or languages which may serve a practical necessity or the efficient and expeditious discharge of executive and administrative functions of the Region.

### CHAPTER IV

#### Article VII:

Neither the People's Regional Council nor the High Executive Council shall legislate or exercise any powers on matters of national nature which are:-

National Defence - External Affairs - Currency and Coinage - Air and River Transport - Communications and Telecommunications - Foreign Trade and Customs - Nationality and Immigration (Emigration) - National Social and Economic Planning - Educational Planning - Public Audit - Terms of Public Services.

CHAPTER V

Article VIII:

Regional Legislation in the Southern Sudan is exercised by a Regional Peoples' Council elected by Sudanese Citizens resident in the Southern Provinces. The constitution and conditions of membership of the Council shall be determined by the President.

Article IX:

Members of the Regional Peoples' Council shall be elected by direct secret ballot, provided that the President may constitute the First Council as he thinks fit.

Article X:

- (i) The President may appoint additional members to the Regional Peoples Council provided that the number of appointed members shall not exceed one quarter of the elected members.
- (ii) The Regional Peoples Council shall regulate the conduct of its business provided the first Council shall conduct its business in accordance with regulations issued by the President.
- (iii) The Regional Peoples Council shall elect one of its members as a speaker provided the President shall appoint, after consultation, the Speaker of the first Council.

Article XI:

The Regional Council shall legislate for the preservation of Public Order, efficient administration and the development of



the Southern Provinces in cultural, economic and social fields and in particular the following:

1. Promotion and utilization of Regional financial resources for the development and administration of the Southern Provinces.
2. Organisation of Regional and Local Administrative machinery.
3. Legislation on traditional law and custom within the framework of National Laws.
4. Establishment, maintenance and administration of prisons and reformatory institutions.
5. Establishment, maintenance and administration of Public Schools of all levels in accordance with National Educational and Economic Plans.
6. Promotion of local languages and Cultures.
7. Town and Village planning and the construction of roads in accordance with National plans and programmes.
8. Encouragement of trade, establishment of local industries and markets, issue of trade licences and formation of cooperative societies.
9. Establishment, maintenance and administration of public hospitals.
10. Administration of environmental health services, maternity care, child welfare; the supervision of markets and combat of endemic diseases; training of medical assist-

ants and rural midwives, establishment of health centres, dispensaries and dressing stations.

11. Promotion of animal health, control of epidemics, and improvement of animal production and trade.
12. Promotion of tourism.
13. Establishment of zoos, museums, and the organisation of trade and cultural exhibitions.
14. Mining and quarries without prejudice to the right of the National Authority in the event of the discovery of natural gas and minerals.
15. Selection, organisation and administration of Police and Prison services in accordance with the National Policy and standards.
16. Land use in accordance with national laws and plans.
17. Combat of agricultural pests and diseases.
18. Development, utilization, and protection of forests, crops and pastures in accordance with national laws.
19. Promotion of self help programmes.
20. All other matters delegated by the President or the Peoples Council for legislation.

#### Article XII:

The Regional Peoples Council may call for facts and information concerning the conduct of administration in Southern Provinces.



Article XIII:

The Regional Peoples Council may, by a two-third majority and for specified reasons relating to public interest, request the President to relieve the President or any member of the High Executive Council from office. The President may, if he thinks fit, accede to such request.

Article XIV:

The Regional Peoples Council may, by a two-third majority and the approval of the High Executive Council, request the President to postpone the coming into force of any law, which in the view of the members, adversely affects the welfare and interests of the citizens of Southern Provinces. The President may, if he thinks fit, accede to such request.

Article XV:

1. The Regional Peoples Council may, by majority of its members, request the President to withdraw any bill presented to the Peoples Council which in their view affects adversely the welfare, rights and duties of citizens in the Southern Region, pending the comments of the Regional Peoples Council.

2. If the President accedes to such request, the Regional Peoples Council shall present its comments within 15 days from the date of accession to the request.

3. The President shall communicate any such comments to the Peoples Council together with his own observations if he deems necessary.

Article XVI:

The Peoples Council shall communicate all bills and acts to the

Regional Peoples Council for their information. The Regional Peoples Council shall act similarly.

CHAPTER VI  
EXECUTIVE

Article XVII:

The Regional Executive Authority is vested in a High Executive Council which acts on behalf of the President. Members of the Regional Executive are appointed and relieved of office by the President.

Article XVIII:

The Peoples Armed Forces stationed in the region shall not come under the supervision of the High Executive Council.

Article XIX:

The High Executive Council, subject to the approval of the President, shall specify the duties of the various departments in the Southern Provinces.

Article XX:

The President of the High Executive Council shall be appointed and relieved of office by the President. He shall be responsible to the President and shall perform his duties on his behalf.

Article XXI:

The High Executive Council shall be composed of members appointed and relieved of office by the President in consultation with the President of the High Executive Council.



Article XXII:

The President of the High Executive Council and its members are responsible to the President for the efficient administration in the Southern Provinces and shall take an oath of office before him.

Article XXIII:

The President and members of the High Executive Council may attend meetings of the Regional Peoples Council and participate in its deliberations without a right to vote.

CHAPTER VII

Article XXIV:

The President shall from time to time define the relationship between the High Executive Council and the central ministries.

Article XXV:

The High Executive Council may initiate laws for the creation of a Regional Public Service. These laws shall specify the terms and conditions of service for the Regional Public Service.

CHAPTER VIII

FINANCE

Article XXVI:

The Peoples Regional Assembly may levy Regional duties and taxes in addition to National and Local duties and taxes. It may issue legislations and orders to guarantee the collection of all public monies at different levels.

Article XXVII:

a) The sources of revenue of the Southern Region shall consist of the following:

- I. Direct and indirect regional taxes.
- II. Contributions from Peoples Local Government Councils.
- III. Revenue from commercial, industrial and agricultural projects in the Region in accordance with the National Plan.
- IV. Funds from the National Treasury for established services.
- V. Funds voted by the National Assembly in accordance with the requirements of the Region.
- VI. The Special Development Budget for the South as presented by the Peoples Regional Assembly for the acceleration of economic and social advancement of the Southern Region as envisaged in the declaration of the 9th of June, 1969.
- VII. Any other sources.

b) The Regional Executive Council shall prepare a budget to meet the expenditure of regional services, security, administration and development in accordance with National plans and programmes and shall submit it to the Peoples Regional Assembly for approval.



CHAPTER IX  
GENERAL PROVISIONS

Article XXVIII:

The President may suspend any legislation which he deems contrary to the provisions of the National constitution.

Article XXIX:

The President and members of the High Executive Council have power to initiate laws in the Regional Peoples Council.

Article XXX:

The Regional Peoples Council shall strive to consolidate the unity of the Sudan, and respect the provisions of the National constitutions.

Article XXXI:

All citizens are guaranteed the freedom of movement in and out of the Southern Provinces, provided restriction or prohibition of movement may be imposed on a named citizen or citizens solely on grounds of public health and order.

Article XXXII:

1. All citizens resident in the Southern Provinces are guaranteed equal opportunity of education, employment, commerce and the practice of any profession.
2. No law may adversely affect the rights of citizens enumerated in the previous item on the basis of race, tribal origin, language, religion, place of birth, or sex.

Article XXXIII:

Juba shall be the Capital of the Southern Region and the seat of the Regional Executive and Legislature.

Article XXXIV:

Any member of the Regional Peoples Council may initiate any law provided that financial bills shall not be presented without the permission of the President of the High Executive Council.

Article XXXV:

Freedom of Religion, worship and conscience is guaranteed to all citizens.

Article XXXVI:

All citizens without distinction based on race, tribal origin, birth language, sex or economic and social status shall have equal rights and duties before the law.



## APPENDIX VI

### DECENTRALISATION:

#### A NECESSITY FOR THE SOUTHERN PROVINCES OF THE SUDAN

By: Lt. General Joseph Lagu (Rtd.)

#### When the selfish man has eaten he calls the hungry man greedy

This old adage is symbolic of the situation now prevailing in the Southern Sudan. Political leadership, with a strong tribal orientation having satisfied themselves that the only way to remain in power is to fan up tribal loyalties from their tribe, which they believe must dominate because of sheer numbers are now turning around to point a finger at those who want to correct the situation as "power hungry" politicians. Indeed they are so infatuated with the desire to make their tribesmen politically predominant that emergence of any group to suggest corrective measures never appeared to them to be a possibility. It would also seem that they never gave any thought to the idea that they might be forcing a cat into a corner from where it would have no choice but to scratch and bite in self-defence.

Articles (6) and (7) of the Permanent Constitution of the Sudan advocate the administration of the country on the basis of a completely decentralised system in accordance with the Sudanese policy of ensuring the full participation of the people in the process of policy-making and government of their country. Paragraph (4) of the preamble to The Southern Provinces Regional Self-Government Act, 1972, also states that the Act is made:

"In accordance with the Principles of May Revolution that the Sudanese People shall participate

"actively in and supervise the Decentralised system of the Government of their Country."

Participants in the Addis Ababa negotiations which led to the Agreement left the Ethiopian capital on the assuring note that the Regional Government in the Southern Sudan would take upon itself the task of decentralisation in order to realise the people's participation in the government of their country. They had not realised then that shedding authority to the people was going to be such an unpleasant task for those holding the reins of power. Although successive S.S.U. congresses have emphasised the need for handing power to the people, this has remained largely an empty slogan in the Southern Sudan. It is our bounden duty, in this pamphlet, to demonstrate why there is such an apparent lack of interest in implementing the policy of decentralisation.

Right from the outset, it should be very clearly stated that these apprehensions are neither peculiar, nor new. They were expressed at Addis Ababa, and the Southern Sudan Liberation Movement (S.S.L.M.) delegation was assured by the government side that the S.S.U. not only advocated a decentralised system of government, but The People's Local Government Act, 1971 did provide for the establishment of virtually autonomous governments from the provincial down to the grass-roots levels. Viewing by the standards observed in the Northern Sudan, the 1971 Act merely provides for a colonial-style indirect rule by the Regional Government in the Southern Sudan. The question of lack of resources is a nation-wide issue, and we need no professors to tell us about it. The truth, as will be seen in this pamphlet, is that many of the leaders of the Dinka tribe have chosen to mark time on the issue of decentralisation so as to effect the spread of members of their tribe in all areas in the South, and thereby guaranteeing themselves the control of any government formed at any level. The annual intake to the police and administrative institutions are very clear revelations



of this ambition. Northern exploitation of a divided South is a fear being emphasised by the very people whose political records in the short period since the Addis Ababa Agreement, have shown more regard for their tribal affiliations than for the unity of the South and the Agreement itself.

### Fundamentals of Decentralisation

The basic problem that bedevils any heterogeneous society like ours is how to attain unity. In most cases, unity is attained by recognising and accepting the principles of living in diversity. On the 3rd of March every year, the Sudanese people celebrate what they call Unity Day. Yet this was the day the Addis Ababa Accord, which granted self-government to the Southern part of the country, was signed. It is not taken as a day of mourning because the Southern part of the Sudan became autonomous. The Sudan became more united by assuring a part of it which wanted to secede that it was now free to manage its own affairs.

The Sudanese are a people who enjoy a classic pride in their determination to fight against any type of domination, or any government that lacks a consultative machinery. They came up against colonial rule as one people with one voice. They were unable to tolerate the party system because members of parties not in power had to be rendered redundant as far as their contribution towards administration and decision-making was concerned. They rose against General Aboud's military rule because it lacked a consultative machinery. Now they embrace the May Revolution because it encourages them to get involved, and actively seeks their participation through its various organisations at various levels.

On initiating the ideals that are incorporated in Articles (6) & (7) of the Permanent Constitution of the Sudan, the need to accomodate the aspirations of the various communities in the



country must have taken precedence over all other considerations. There is no doubt that with a heterogeneous society like ours, linked by little more than the Berlin political geography, and our own nature of being against domination and exploitation, nothing short of granting the various communities the right to exercise control over their own affairs will ever lead to the attainment of stability or even peace. If anyone has doubts over this, it is suggested that he seeks the advice of President Nimeiri or any founding member of the May Revolution.

In the case of the North-South conflict, peace and unity were achieved only after granting self-government to the Southern Provinces. According to the system advocated by the S.S.U., the government of the Southern Region should have proceeded to establish autonomous provincial governments in which the people of each of those provinces would have the ultimate say in all matters of policy and the administration of their provinces. This would reduce wrangling among Southerners for equal participation to the regional level only, and wrangling for positions and the right to have a say in the affairs of the provinces would be the problem of the sons of the provinces concerned. Down the ladder would be the councils at the district, town rural and village levels. It was hoped that this structure would be given due political value by giving first priority in matters of training and posting to the people of the areas themselves, and at levels lower than the province, the commissioner would be seen to be competent enough to effect the establishment of his councils and the transfers of officials with little, if any interference from the Regional Government.

Unfortunately, people now responsible for the Southern Sudan government not only show no interest in this policy of involvement, but show no respect for political sentiments of those whose destiny they guide. Some areas such as Mongalla, Luri, and Logo and Kolye around Rajaf (to mention a few) have been forced into living in a state of uncertainty because of un-



planned Dinka settlements and movements. No decision taken by any council at any level in those areas would have any weight since the Regional Government apparently connives at the activities of the Dinka tribesmen.

At the provincial levels, the commissioners in the Southern Region who are supposed to be the chairmen of security committees in their provinces as well as being the chief over all administrators, have been rendered toothless bull-dogs by the Regional Government. Security matters are taken at the Regional Police Headquarters by the Inspector General who is a Dinka, and police officers and men are posted or transferred at his will without any consultation with the commissioners. At times, people who are considered by the province security committee as posing a security threat to the province are released by the Inspector General or any of his commissioners without even giving the mere courtesy of informing the provincial commissioner concerned. Administrators, who head the People's Local Government System are made to carry dual allegiance to both the Regional Government and the Provincial Government instead of through the latter to the former. No doubt, this has adversely affected efficiency because these officers go to solve their problems where it is politically inconvenient.

The most considered opinion in this pamphlet is that the loose attitude adopted by authorities in the Southern Sudan (who consist largely of one tribe) is one that will lead to the negation of the policy of decentralisation in our Sudanese political sense, and have it replaced by a system of indirect rule. What is even more apparent is that the policy of decentralisation has become merely a subject of political manipulation. There is a Dinka Advisor on Local Government to try to tally Article (184) of the Permanent Constitution with Article (18) of the Southern Provinces Regional Self-Government Act, 1972.

Any leader, who has read Article (182) carefully, cannot take

pride in being merely a member of a large tribe because that Article states that the principle of administrative decentralisation is "to satisfy their cultural distinction and to provide for stability and progress". People who believe themselves to be a majority cannot under a properly decentralised system, frustrate the minority because each community is responsible for its affairs. Complaints and frustrations may arise only at the Regional level for posts, but those do not normally have a direct impact on the common man. The intellectuals can sort this out among themselves.

No one should be blamed for these feelings except those members of the Dinka tribe who have chosen the arrogant path of institutionalising their tribal feelings against the aspirations of the other tribes. A sense of insecurity has been created among the non-Dinka tribes, particularly in towns and the Suburbs. Starting with the Regional Government itself, the following facts need to be critically analysed in order that the proposals in the pamphlet can be fully appreciated.

THE HIGH EXECUTIVE COUNCIL AS AT THE TIME OF  
MAKING THESE PROPOSALS

1.	Mr. Abel Alier	Dinka
2.	Mr. Bona Malwal	"
3.	Mr. Martin Majer	"
4.	Mr. Isaiah Kulang	"
5.	Mr. Andrew Wieu	"
6.	Mr. Justin Yac	"
7.	Mr. Arthur Akuein	"
8.	Mr. Toby Maduot	"
9.	Mr. Zachariah Bol	"
10.	Mr. Manoa Majok	"
11.	Mr. Peter Gatkuoth	Non-Dinka
12.	Mr. Hillary Paul	"
13.	Mr. Joseph Oduho	"



14.	Mr. Samuel Abu John	Non-Dinka
15.	Mr. Gama Hassan	"
16.	Mr. Daniel Gatwich	"
17.	Mr. Joseph Ukel	"
18.	Mr. Angelo Othow	"
19.	Mr. Simon Mori	"
20.	Mr. Morris Abal	"

PROVINCIAL COMMISSIONERS

1.	Mr. Aldo Ajou	Dinka
2.	Mr. Martin Marial	"
3.	Mr. Jonathan Malwal	"
4.	Mr. Venansio Loro	Non-Dinka
5.	Mr. Joshua Dei	"
6.	Mr. Philip Nvue	"

PEOPLE'S REGIONAL ASSEMBLY

1.	Mr. Lual Ding	Dinka
2.	Mr. Zachariah Dhum	"
3.	Mr. Baipath Majuec	"
4.	Mr. Mark Atem	"
5.	Mr. Peter Wien	"
6.	Mr. Akile Deng	"
7.	Mr. Alfred Barakat	Non-Dinka
8.	Mr. John Wijal	"
9.	Mr. Barnaba Dumo	"
10.	Mr. Angelo Bada	"
11.	Mr. Ahmed El Radi	"
12.	Mrs. Mary Bassioni	"

THE S.S.U. REGIONAL ASSEMBLY BODY

1.	Mr. Ambrose Ring	Dinka
2.	Mr. Enoch Nhial	"
3.	Mr. Sadiq Fargallah	Non-Dinka

THE S.S.U. REGIONAL SECRETARIAT

1.	Mr. Lawrence Lual	Dinka
2.	Mr. Thomas Kume	Non-Dinka
3.	Mr. James Bol	"
4.	Mr. Michael Wal	"
5.	Mr. Albert Yanga	"
6.	Mr. Ali Temim	"

PARASTATAL BODIES

1.	Nathaniel Anei - R.D.C.	Dinka
2.	Chan Malwal Chan - E.T.C.	"

DIRECTORS ETC. IN VARIOUS MINISTRIES

1.	Inspector General of Police	Dinka
2.	Director General - Education	"
3.	Director, Wildlife	"
4.	Director, Taxation	"
5.	Director, Finance	"
6.	Director, Planning	"
7.	Director, Loans & Credits	"
8.	Director, Purchases & Contracts	"
9.	Director, Religious Affairs	"
10.	Director, Youth & Sports	"
11.	Director, World Food Programme	"
12.	Director, Animal Production	"
13.	Director, Fisheries	"
14.	Director, Mining & Industry	"
15.	Director, Regional Institute of Administration	"
16.	Director, Educational Administration	"
17.	Director, Coordination Office, Khartoum	"
18.	Legal Council General	"
19.	Director General, Finance & Planning	Non-Dinka
20.	Director General, Agriculture	"



21.	Director General, Public Service	Non-Dinka
22.	Director General, Health & Social Welfare	"
23.	Secretary H.E.C.	"
24.	Director General, Regional Administration	"
25.	Commissioner of Prisons	"
26.	Director, Culture & Information	"
27.	Director, Administration - Public Service	"
28.	Director of (P.S.)	"
29.	Director of Labour (P.S.)	"
30.	Director of Budget & Training (P.S.)	"
31.	Director, Commerce & Supply	"
32.	Director, Cooperatives	"
33.	Director, Housing & Public Utilities	"
34.	Director, Communication	"

We could go on almost ad infinitum producing similar lists. Anyone who would like to prove the worst would be welcome to look at the records of the intake into the administration, the Police and Prisons Colleges and training Schools. Their records of promotion etc. would reveal some very painful facts about this institutionalised tribalism.

Judging by these facts, it would be naive to expect decentralisation to be an attractive proposition, leave alone the further regionalisation of the South which will deprive those concerned of their best weapon of intrigue. No one so privileged would be prepared to abandon his golden spoon without struggle. We are aware of this; but we believe that just as the May Revolution was able to convince those elements in the North who were opposed to the division of the country into regions, we, in alliance with the Revolution will also come to prevail over those who see a unitary Southern Sudan as an ideal ground for manipulating tribal politics. We can no longer believe that they have good intentions.

We further doubt their sincerity in implementing the policies

of the S.S.U. which advocates the people's participation, because "the people" to them only means their tribe.

Our proposal is therefore that the Southern provinces of the Sudan should be regionalised under an amended 1972 Act and Article (8) of The Permanent Constitution of the Sudan. This will allay not only Southern Sudanese fears, but will retain our credibility among members of the international community. The arrangement will therefore be that while the Northern Regions of the Sudan are governed under the 1980 Act, providing for Regional Governments in that part of the country, the Southern Provinces of the Sudan will have regions, governed by one law also (i.e. an amended Southern Provinces Regional Self-Government Act, 1972).

#### Proposals for the Regionalisation of the Southern Provinces of the Sudan

The following points are noteworthy before giving these proposals a serious thought:

1. We went to Addis Ababa as Southern Sudanese who had fought a bloody 17 years war as members of three provinces which were governed directly from Khartoum. This did not divide us. If there is a fear of any threat from the North, that fear must be common among Southerners - not as members of one single regional government, but just as Southern Sudanese. After all, we do not expect the Regional Government to be able to take up arms against the North. It will be the people themselves should such a formidable necessity arise. The people should therefore not be deprived by being told that our stay together as one Region is the only guarantee against any possible Northern intrigue.
2. The country as a whole opted for a highly decentralised



system of government. There are six regions in the North. Which of these regions are we afraid of? If we think six regions can unite against us, why can two or three regions in the South not unite against them too? Is it the Central Government? This will reflect a wish to go back on decentralisation and no doubt regions other than those in the South will join in protest.

3. The question of lack of resources must be seen in the context of the country's administrative policies. The whole country has accepted regionalism as a political necessity, and unless they as a whole feel it is too expensive, we should not be deceived by those who are trying to protect their jobs.
4. The international community are with us, and will continue to assist us as long as we assure them stability. They are not interested in our system of government. On the contrary, our tribalistic tendencies have been observed by some of them as embarrassing and a possible threat to stability.
5. Just as Addis Ababa guaranteed the unity of the Sudan by granting self-rule to Southerners, and regionalism is considered as strengthening the unity of the country by giving the people the right to exercise political powers which were hitherto the monopoly of the Central Government, regionalisation of the South should pave the way to greater harmony among Southerners themselves.

We are fully aware that every coin has two sides, and this proposal can be no exception. It must therefore have both disadvantages as well as advantages. Of some of the disadvantages expressed, the following are the most outstanding:

1. There is the fear that the North, having wished to divide-

and-rule the South throughout our history, might be the happier because the South will be "balkanised".

2. We lack resources, and it is already difficult for a single Southern Region to obtain its share of grants-in-aid from the Central Government. This will be worse if we have more than one region. Yet, with more regions, we shall need to build new capitals, set up more administrative units, pay for a larger number of newly created services etc. Where do we expect to get the money from when we are unable to get it now as one, strong, united Southern Region?
3. It is feared that such a move will lead to a chain effect that will make Southerners begin to seek divisions on tribal basis because in each new division, there will still be fear of domination by larger tribes.
4. There will be the problem of disposing with the Regional Government assets.

Some of the advantages that may be cited, on the other hand, are as follows:

1. By fitting ourselves into a pattern similar to what is already prevailing in the rest of the country, we stand better chances of associations with other regions to exert pressure on the Central Government for a genuine shedding of powers to the people. A realistic view of the disbursement of the grants-in-aid and the distribution of foreign assistance as well as our own industries will have to be realised.
2. Tensions arising out of current tribalistic politics will be reduced, and possible inter-tribal clashes anticipated as a result of tribalism will be nipped in the bud.



3. Smaller regions will provide for the participation of greater numbers of citizens in the administrative and policy-making machinery of their country as provided for in the constitution. The fear of one Southern Region being equated with the smaller regions in the north will be removed so that the participation of Southerners at the national level will greatly increase. We could have afforded to remain as one single region if the North had opted for only three regions as we had proposed in Addis Ababa and as was later suggested by the President of the S.S.U. in the General Committee Meeting on 15th March, 1979. Now, we cannot afford to be equated with regions whose population may only equal that of Aweil District or less.
4. Socio-economic development strategies will be easier to put into focus.

We believe the reader is sufficiently equipped to raise his own arguments against or for any of the points raised as the disadvantages and advantages of regionalising the Southern Provinces. To refrain from minute details, we have mentioned these few without defending our stand or attacking our opponents' views because these views themselves have been produced as arguments for and against regionalism.

### Proposals:

We are aware that the Addis Ababa Accord is an internationally recognised arrangement that has brought about peace and stability to the Sudan, and a long-desired harmony between the South and the North. These proposals are in fact precautionary measures being taken by us in protection of the Accord against tribalistically-oriented politicians whose very activities pose a danger to peace and stability.

On the basis of this understanding, we therefore propose that

the Southern Provinces of the Sudan be governed as two or three regions under an amended Southern Provinces Regional Self-Government Act, 1972, and that Article (8) of the Permanent Constitution of the Sudan be amended as follows:

"Within the Unitary Sudan, there shall be established in the Southern Provinces a Regional Self-Government or Regional Self-Governments in accordance with the Southern Provinces Regional Self-Government Act, 1972 (amended 198..), which shall be an organic law, and shall not be amended except in accordance with the provisions thereof."

In essence, this will guarantee the concept of a united Southern Sudan bound by that historic document (The Addis Ababa Accord). The South will be a constitutionally accepted political entity, with an important historical bearing, while at the same time allowing the citizens living in that area to enjoy the fruits of decentralisation with the rest of the country. Instead of being called "The Southern Region", it will be called "The Southern Provinces", having one or more regions.

PROPOSED AMENDED ORGANIC LAW  
THE SOUTHERN PROVINCES REGIONAL  
SELF-GOVERNMENT ACT. (AMENDMENT) 198

An organic Law to organise Self-Government in the Southern Provinces of the Sudan.

In accordance with the provisions of the Constitution of the Democratic Republic of the Sudan hereinafter defined in this Act.

and

In realisation of the Memorable May Revolution Declaration of the 9th of June, 1969 for realisation in the Southern Sudan of Regional Self-Government or Regional Self-Governments within a united Socialist Sudan,



and

In accordance with the Principle of the May Revolution that the Sudanese People shall participate actively in and supervise the decentralised system of Government of their country,

and

In accordance with the provisions of the Constitution The People's Assembly with the assent of the President of the Republic hereby makes the following Act:-

THE SOUTHERN PROVINCES REGIONAL  
SELF-GOVERNMENT ACT (AMENDMENT) 1981

In accordance with the provisions of Section (34) of the Southern Provinces Regional Self-Government Act, 1972, the People's Assembly, with the approval of the citizens of the Southern Provinces, as shown by referendum, hereby makes the following Act:-

TITLE AND COMMENCEMENT:

1. This Act shall be cited as "The Southern Provinces Regional Self-Government Act (Amendment) 1981" and shall come into force upon being passed by the People's Assembly.

**Amendment:**

2. The Southern Provinces Regional Self-Government Act, 1972, shall be amended as follows:

In Section (2), the definitions of the expressions "People's Regional Assembly", "High Executive Council", "President of the High Executive Council" shall be deleted and substituted as follows:-

"People's Regional Assembly" means the legislative body in each region to be established in the Southern Provinces of the Sudan.

"High Executive Council" means the executive council appointed by the President on the recommendation of the President of the High Executive Council to supervise the administration, and direct public affairs in each region established in the Southern Provinces of the Sudan.

"President of the High Executive Council" means the person appointed by the President on the recommendation of the People's Regional Assembly to lead and supervise the executive organs responsible for administration of any region established in the Southern Provinces of the Sudan.

Section (3) shall be deleted and substituted as follows:-

**Regional Self-Government:**

3. The Southern Provinces of the Sudan shall constitute one or more self-governing region or regions within the Democratic Republic of the Sudan as shall be determined by referendum to be held in each province.

The word "region", wherever it appears in this Act shall be immediately succeeded by the expression "or regions".

**CONCLUSION**

As has already been stated, the first conclusion is that the amended law is open to all suggestion. The Southern Provinces can decide to have one region now without prejudicing future developments. They can decide to have two, three or any other number.



The second conclusion is that the fear that the Addis Ababa Accord stands only for one region is out of place. Addis Ababa Accord is a document that guarantees freedom to the Provinces of the South in managing their own affairs. Giving those provinces the chance to involve many more people than the situation now is, in our view, puts an emphasis on the Accord. Such emphasis will, no doubt, work to harmonise the various sections and tribes of the South.

The third conclusion is that, whatever the regions created will be, leaders in those regions will have to pay great attention to PART VII of the Permanent Constitution of the Sudan on the PEOPLE'S LOCAL GOVERNMENT and even take further initiative themselves on the devolution of powers to councils at all levels. This will reduce the possibilities of tribal or sectional frictions arising. It will conform to what we have called the "classic pride" of the Sudanese people.

The regions that appear to be a natural outcome of this proposal are the amalgamations of the new six provinces as they were before 3rd of March, 1976 to form the three regions of Bahr el Ghazal, Equatoria and Upper Nile. The other possibility is the creation of a province for the so-called Fertit tribes of Bahr el Ghazal starting from Hofra-el-Nahas and Kafia Kingi to the boundary with Tambura, and adding this new province to Eastern and Western Equatoria provinces to make a region. This will leave Bahr el Ghazal (without the Fertit) and Lakes Province either to form a region while Jongeli and Upper Nile form the third region or Bahr el Ghazal (without the Fertit) can reunite with Lakes as a province to join Upper Nile and Jongeli. In case of the latter, then there will be only two regions in the Southern Provinces.

## APPENDIX VII

Date: 14th December, 1981.

H.E. Daniel Arap Moi,  
President of the Republic of Kenya  
and Chairman of the O.A.U.,  
Nairobi.

Your Excellency,

We the undersigned leaders of the Council for the Unity of South Sudan feel honoured to bring to Your Excellency's notice the plight of our people.

Our people have waged a long and bitter struggle, lasting seventeen years, for the achievement of a Political Status in the Sudan. No doubt, Your Excellency will recall names such as Late Father Saturnino Lohure, Sayed/Joseph Oduho, Sayed/Aggrey Jaden, Late William Deng, Sayed/Gordon Muortat Mayan, Sayed/Joseph Lagu, Sayed/Ezbon Mundiri, Sayed/Clement Mboro, Sayed/Abel Alier, Sayed/Samuel Aru Bol and many others who have played various roles in this struggle. Your beloved Country provided asylum for most of those Politicians and their followers. Since the story is well known to Your Excellency and the rest of Africa it suffices to state here that the May Revolution successfully concluded this quarrel in the following manner:-

The May Revolution Leadership realized that the Khartoum Round Table Conference of 1965 failed because of two important issues.

Southern Delegates accepted to have one Autonomous Government for the Southern Region, while the Nor-



thern Delegates pressed for three Regional Governments in South Sudan. Southern Delegates demanded that the Southern Region should elect the leader of its Government. Northern Delegates insisted that the President of the Republic should select the three leaders of the Autonomous Regions of the South. The Leadership of the May Revolution accepted the Southern view on these two points in 1972 and thereby succeeded in bringing peace to the Sudan. This Agreement, known as the Addis Ababa Agreement, was negotiated, concluded and signed in Addis Ababa in February 1972. Its negotiation and signature were supervised by The Emperor Haile Selassie of Ethiopia in his capacity as Chairman of the O.A.U. The instruments of that document are now in the custody of the O.A.U. The Government of Ethiopia, The World Council of Churches and other International Bodies which played leading roles at the conference in Addis Ababa.

Now, after almost ten years of peace and progress, the South of Sudan is at the verge of another catastrophe. This is so because, and strangely enough, H.E. President Numeiri and H.E. Sayed/Joseph Lagu have joined hands to call for the dissolution of the Addis-Ababa Agreement by dividing the Southern Region of the Sudan into two or three Regions. This is being done against the will of the great majority of our people and in violation of the Permanent Constitution and the provisions of the Southern Provinces Regional Self-Government Act 1972 (Article 8 of the Permanent Constitution of the Sudan and Articles 3 and 34 of the Southern Provinces Self-Government Act 1972 refer).

Dangerous steps have already been taken. The first is the dissolution of the National Assembly to provide for the reduction



of the Southern representation to fall below the one quarter requirement so that an overwhelmingly Northern Assembly can pass a resolution by more than three quarters of its members as stipulated by Article 34 of the Southern Region Self-Government Act 1972.

In the National Assembly which is being elected Southern Members, including Merchants who could easily be people of Northern origin, will be 28 as against the total membership of 151. This makes less than 1/5 of the whole Membership of the House. Hence three quarters of the votes to divide the South can be easily achieved even if the whole of South is against it. Whereas it was possible to present the case for the division to the Old Assembly, this was not done because Southern votes could block it.

The second such dangerous step already taken is the dissolution of the popularly elected Regional Assembly in the South and the dissolution of the government legally elected by that Assembly. This Assembly has no role in the process of the division of the South into more Regions. It is provided by Article 34 of the Self-Government Act 1972 that it can only be amended by a majority of three quarters of the Peoples National Assembly, and, with the approval of a majority of two thirds of the citizens of the Southern Region in a referendum to be carried out in the Region. Hence this dissolution of the Peoples Regional Assembly and Government in the South are merely provocative acts designed to outrage the Southern People and to instal a Government that can be directed at will by the President of the Republic. There is no guarantee now that elections and the referendum even if conducted will not be rigged.

There have been reliable reports that the President will decree the division of the South Sudan into more Regions. Decrees in violation of the Constitution are not rare in the Sudan. It is admitted even by H.E. Joseph Lagu that the bulk of the South-



ern People do not favour division and since the President is bent on implementing it he will decree it. This is where our fear lies. This is why we raise our voice to the O.A.U. This is a violation of the Permanent Constitution of the Sudan and the Southern Provinces Self-Government Act 1972. This is where we disagreed in 1965 and it is where we shall permanently disagree with the North in the person of President Nimeiri and his advisers. We therefore pray for the intervention of the O.A.U. to restrain the hand of the President so as not to commit further outrages against the People of the South Sudan.

Clement Mboro

- Chairman of the Council for the Unity of the South Sudan and President of its Executive Committee.
- Former National Minister of Interior.
- Former Member of Sudan Constitut. Assembly and R.A.
- Former President of the Dissolved Southern Front Party.
- Former National Minister of Industry, Mining and Survey.
- Former Commissioner for Rehabilitation & Resettlement.
- Former Speaker of the Peoples Regional Assembly.
- Former Member of the Political Bureau of the Sudan Socialist Union.

Joseph Oduho

- Secretary General of the Council for the Unity of the South Sudan.
- Former Member of Sudan Parliament.

- Former President of South Sudan Liberation Movement in Exile.
- Former Regional Minister of Housing and Public Utilities.
- Former Regional Minister of Education.
- Former Regional Minister of Cooperatives and Rural Water Development.
- Former Regional Minister of Public Service and Manpower.
- 

c.c. H.E. Mangistu Haile Mariam,  
President of the Republic of Ethiopia.

c.c. Secretary-General,  
The World Council of Churches,  
Geneva, Switzerland.



## ARTICLES

The Permanent Constitution of the Sudan - Article 8:

"Within the Unitary Sudan, there shall be established in the Southern Region a Regional Self-Government in accordance with the Southern Provinces Regional Self-Government Act, 1972, which shall be an organic law, and shall not be amended except in accordance with the provisions thereof."

The Southern Provinces Regional Self-Government Act, 1972.

### Article 3:

"The Southern Provinces of the Sudan shall constitute a Self-Government Region within the Democratic Republic of the Sudan and shall be known as the Southern Region."

### Article 34:

"This Act shall only be amended by a majority of three quarters of the Peoples National Assembly and with the approval of a majority of two thirds of the citizens of the Southern Region in a referendum to be carried out in that Region."

## APPENDIX VIII

Date: 22nd December, 1981.

H.E. Field Marshall General Gaafar Mohammed Numeiri,  
President of the Republic of the Sudan,  
KHARTOUM.

We, the under mentioned leaders of the Council for the Unity of South Sudan, wish to carry to Your Excellency the reasons and aims which have given rise to the formation of this Council.

We believe that when Your Excellency, with Members of the Revolutionary Command Council, risked Your lives the night and morning of 24th and 25th May 1969 this was done in the higher Interests, Ideals, and Unity of this Nation. This belief accompanied Your further Historical Movements of the conclusion of the Glorious Addis Ababa Agreement of 1972, the launching of the Sudan Socialist Union, the Promulgation of the Sudan Permanent Constitution, and the Division of the Northern Sudan into five Self Governing Regions. None of these steps was done in defence to an individual or a group of individuals. As a result we have become Your Excellency's faithful followers and are therefore zealous guardians of these principles. It is with this understanding that we approach the problem of the Unity of the Southern Region.

When Your Excellency raised the issue in the Central Committee Meeting of 23rd of February 1981, none of us expected that, this issue would dissolve the People's National and Southern Region Assemblies as well as the Regional Government on October 5th 1981. This is so because as the creator of the Sudan Socialist Union Your Excellency would be the first to respect its ver-



dict. Out of the ten Southern Members who spoke on this issue in the Central Committee eight spoke strongly against the idea.

In subsequent meetings of the Political Office of the Sudan Socialist Union, four members of this Body from the Southern Region spoke against the idea with only one Southern Member in support.

Barely a month before the dissolution of all the Constitutional Bodies referred to above, the full meeting of the Political Office decided to subject the issue to a Committee for further studies. Hence in an issue where the Political Office is hotly divided with the preponderance of Southern Opinion against it, Your Excellency chose to abide by the opinion of the Minority.

Your Excellency will further recall that Members of the People's Regional Assembly, sitting as the S.S.U. Body of Members resolved by an over-whelming majority in Juba on 20th-21st and 26th-28th March 1981, that Division of the Southern Region into more Regions is undesirable. It was thus rejected. Again the Majority of Members of the People's National Assembly from the Southern Region expressed their firm opposition to the idea of Division of the South into more Regions. Both Assemblies are the products of Your Excellency's creation.

It should be Your Excellency's point of pride to see these Bodies do their job in a bold and regular manner. Yet the fate of these two Assemblies has been their dissolution at the instigation of a few signatories.

Your Excellency will recall the fact that a Round Table Conference was held in 1965. Northern Delegates insisted on Multiple Regions for the South. Southern Delegates rejected this proposal. Northern Delegates also insisted on the selection of Southern Leaders of the Regions by a Northern President. Southern Delegates insisted that Southerners must elect their own Leader.



Because of these two points of disagreement it was not possible to achieve peace even when the South felt it needed it badly. It is when Your Excellency Leadership wisely decided in favour of the South on these counts that it was possible to achieve Peace and National Unity in 1972. Southern Opinion is still as it was in 1965 to 1972.

While we are strongly committed to the Peace and Unity of this Country, there are elements of division in our Society to be found in both the North and the South. It is the duty of this Council for Unity of South Sudan, in the absence of the Constitutional Institutions in the South and the hopeless division of the Political Office, that those of us, Southern Leaders, who believe in the Unity and stability of the Sudan have set up this Council. Its aims are firstly to campaign for the Unity of South Sudan as Part of the Overall Unity of Sudan. It will champion the campaign of candidates who stand for the same aims. Secondly, it will address itself to Your Excellency and all those who matter in the issue of the Division of the South into more Regions.

It will, above all, appeal to the Northern Public and Members of National Assembly.

Your Excellency will therefore agree with us that in order to complete the full programme of this Constitutional Exercise Government Machinery and Personnel must observe strict neutrality. Complaints have already been raised to the President of the High Executive Council against H.E. The Commissioner of Eastern Equatoria for his open campaign and high handedness in the cause of Division. We further urge Your Excellency to stick to the Time Table of Six Months for the Interim Government. Any further extensions, as is being urged by Members of the Interim Government, will aggravate an already bad case.

We are hereunder attaching the full list of the Executive Com-



mittee of the Council for the Unity of South Sudan for Your Excellency's information.

We hope that by this Organisation and address we are discharging our sacred duties towards our Country and our People, as this is inclusive of the rights and duties conferred on Sudanese People by Articles 48 and 51 of our Constitution.

CLEMENT MBORO

CHAIRMAN

COUNCIL FOR THE UNITY OF SOUTH SUDAN.

EXECUTIVE COMMITTEE OF THE COUNCIL  
FOR THE UNITY OF SOUTH SUDAN

1. Sayed/Clement Mboro

Chairman of the Council and President of Executive Committee.

2. Sayed/Samuel Aru Bol

Deputy Chairman of the Council and  
Deputy President of Executive Committee.

3. Sayed/Joseph Oduho

Secretary General.

4. Sayed/Dr. Andrew Wieu

Chairman of the Committee for Internal and  
Political Affairs.

5. Sayed/Angelo Beda

Chairman of Publicity Committee.

6. Sayed/Ezekiel M. Kodi  
Chairman of Financial Committee.
7. Sayed/Maikol Wal  
Chairman of External Affairs.
8. Sayed/Martin Majier  
Deputy Secretary General.
9. Sayed/William Agel  
Secretary of the Internal and Political  
Affairs Committee.
10. Sayed/Joseph Ukel  
Secretary of the Publicity Committee.
11. Dr. David Bassiouni  
Secretary of Finance Committee.
12. Sayed/Ambrose Riny  
Secretary of External Affairs Committee.
13. Sayed/Ezbon Mundiri                    -                    Member
14. Sayed/Arthur Akuen                    -                    Member
15. Sayed/Isaiah Kulang                    -                    Member
16. Sayed/Lubari Ramba                    -                    Member
17. Sayed/Mathew Obur                    -                    Member
18. Sayed/Fr. Nero Lupe                    -                    Member
19. Sayed/Joshua Dei                    -                    Member
20. Dr. Gama Hassan                    -                    Member
21. Sayed/Samuel Abu-John                    -                    Member



APPENDIX IX

Khartoum,  
February 24, 1981.

H.E. President of the Sudanese Socialist  
Union and Chairman  
Second Session of the Central Committee  
Meeting for the Fourth Term,  
Khartoum.

**Subject: Petition to withdraw the Proposal:**

We the undersigned members of the Central Committee of the S.S.U. from the Southern Region, having listened to the proposal of dividing the Southern Region into three regions take this opportunity to submit this petition to Your Excellency to withdraw the matter from the present debate on the speech of the President of the S.S.U. for the following reasons:

1. In our view, the matter of the Southern Region having to remain in its present form or be divided into three or more regions as a fundamental issue of policy; a matter directly affecting the interest and will of all people in the Southern Region. Its discussion should therefore emanate from the S.S.U. conferences at all levels in the Southern Region according to the practice of our new democracy.
2. To the best of our knowledge the matter was never mentioned or discussed at any level of the re-activation congresses in the Southern Region.
3. The matter raises legal and constitutional questions. There would be very elaborate and protracted procedures of constitutional amendments to be followed even if the people of the

Southern Region were to agree to the proposal.

4. In our view the idea of re-division of the Southern Region is of great importance and therefore requires the structures of the Sudanese Socialist Union and other constitutional organs in the Southern Region to be used in order to enlarge the participation of the Sudanese citizens resident in the Southern Region in the discussions of the matter before the Central Committee of the Sudanese Socialist Union can pass a resolution on it.

5. As the matter was raised to Your Excellency directly by few citizens from the Southern Region without prior public debate in the Southern Region, it is suggested that in further similar petitions on such constitutional matters be referred to the necessary and relevant constitutional and S.S.U. organs at the base before they are considered and discussed at this level.

Yours faithfully, (signed)

1. Peter Gatkuoth Gual
2. Bona Malwal Madut
3. Angelo Beda
4. Ali Temin Fartak
5. Michael Wal Duany
6. Ambrose Ring Thiik
7. Venansio N. Loro
8. Martin Marial Takpiny
9. Gama Hassan
10. William Ajal
11. Maurice Abal
12. Ezikiel M. Kodi
13. Mary Bassioni
14. Angelina Paul
15. Saadia Issa
16. Salima Ahmed
17. Mary Saverio



18. Roda Issa
19. Salva Athian Bak
20. Philip Paul Nvue
21. Lawrence Wol Wol
22. Agoth Mel Kuan
23. Peter Kuek Ruei
24. Khogali Ibrahim El Rashid
25. Dr. Justin Yac Arop
26. Samuel Abu John Kabashi
27. Albert Yanga Issa
28. Aldo Ajou Deng
29. Paul K. Awaar
30. Lawrence Lual Lual
31. Philip Mathok Kueth
32. Awad Abdalla Wani
33. Michael Jaloan
34. Paul Moriom Jal
35. Zefferino Ayi Madut
36. Garang Ngor Gop
37. Elia Duang Arop
38. Abdel Samad Mustapha Abo
39. Pasquale Deng Deng
40. William Fodo Nziri
41. Karlo Akot Akot
42. Cui Deng Yol
43. James Thuc Ariel
44. Beshir Abu Seneina
45. Vitale Aburi Lomiluk
46. Mark Zangabey
47. Josephin Atem Makoi
48. Lawrence Modi Tombe
49. Benjamin Warille
50. Ezra Majok Col
51. Zakaria Wani Yagusuk
52. David Bassioni
53. Isaiah Kulang

- 54. Enock Nhial
- 55. Henry Lual Lual
- 56. Guol Rambang
- 57. Benjamin Majok
- 58. Wilfred Ring Aduer
- 59. Dr. Toby Maduot



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